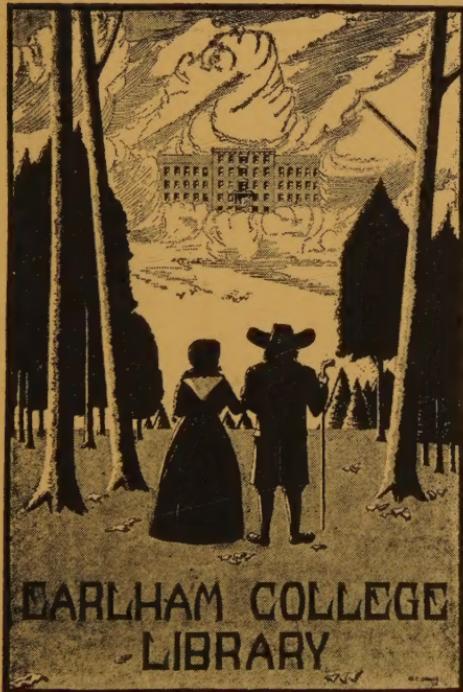


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THE NATIONAL CIVIL SERVICE REFORM LEAGUE

HISTORY, ACTIVITIES, AND PROBLEMS

By

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To My Wife

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PREFACE

The purpose of this study is to outline chronologically the strategy and work of the National Civil Service Reform League during its early and middle periods, to analyze its methods, technique, and activities in its modern period, to state some of the problems of the present organization, and to evaluate the contribution of the League to the civil service reform movement in the United States.

In gathering material I spent the summer of 1926 in the office of the League in New York City. Examination was also made of all the data available in public and university libraries in Chicago, New York, and Boston, and in the library of the United States Civil Service Commission in Washington. Officers of the League, civil service officials, and students of personnel administration were consulted in Washington, Philadelphia, New York, Boston, and Chicago. The files in the office of the League have furnished much of the material for the analysis of the League in the modern period: it is to be regretted that the correspondence files before 1913 have not been preserved. Except where otherwise indicated, this study is written as of March, 1928.

I owe a debt of gratitude to Professors Leonard D. White, Charles E. Merriam, Rodney L. Mott, and Carroll H. Woody, of the University of Chicago, for reading the manuscript and making many valuable suggestions. Professor Harold D. Lasswell, of the University of Chicago, helped me over many difficulties in the chapter on propaganda. To Mr. Harry W. Marsh, former Secretary, and to Mr. H. Eliot Kaplan, present Secretary of the League, I am especially indebted for numerous courtesies in the loan of material, and for discriminating counsel and criticism. To Dr. J. B. Kingsbury, formerly of the League staff, and to many other students of personnel administration, I am also indebted for criticism and advice.

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knowledgment is made to the editors for permission to reprint this material.

Finally, I must express my appreciation to Miss Hallie D. Walker and to my wife, both of whom have been of great assistance in the preparation of the manuscript.

Austin, Texas, October, 1928.

F. M. S.

PART I
HISTORY OF THE LEAGUE

CHAPTER I

THE SPOILS SYSTEM AND THE EARLY REFORMERS

Three distinct periods in the history of the civil service and the patronage in the United States are noted by Professor Fish.¹ The first period, from 1789 to 1829, may be called one of bureaucratic efficiency; the second, from 1829 to 1865, reveals the establishment and the triumph of the spoils system; while the third, from 1865 to the present, is the era of civil service reform.

Washington gave little attention to party alignments in making appointments, but he did insist on faithfulness to the new Constitution and Government. Adams made nineteen removals in all, most of them for the efficiency of the service. Before going out of office, he filled a number of judicial places with Federalists.

Jefferson found the civil service filled almost exclusively with Federalists. He removed 109 out of a total of 433 presidential officers. Fish says that technically the introduction of the spoils system must be attributed to Jefferson, for he was the first to recognize partisan considerations in appointments and removals. "It was not, however, the sole reason required; and, as has been shown, the character of the civil service was really not much changed."²

Madison, Monroe, and John Quincy Adams followed Jefferson's policy of appointments and removals in varying degrees. The most significant change in this period was the passage of the Four Years' Law of 1820, establishing for a large number of federal offices a fixed term of four years in place of the previous indeterminate tenure. While ostensibly the object was to improve efficiency, compelling a regular rendering of accounts, the real reason was political, to create a large number of vacancies, to be filled every four years. Its ultimate effect was to widen the patronage.

¹C. R. Fish, *The Civil Service and the Patronage* (1905).

²*Ibid.*, p. 51.

The character of the service during this period tended to be bureaucratic; on the whole, it was honest and efficient. The germ of the spoils system was present, however, in the development of political parties, the hunger of partisans for power, and the possibility that sooner or later a party President would use the power of appointment and removal in a partisan manner.

GENESIS OF THE SPOILS SYSTEM

Turning to the states, we find in this period two fundamental principles of the spoils system being applied—the practice of using public offices as reward for partisan service and the idea of rotation in office. These methods had been developed in New York, Pennsylvania, and, to a certain extent, in Massachusetts. Fish summarizes this period as follows: "By the year 1828, then, in every state throughout the North and West the spoils system either was established or there existed an element eager to introduce it. The movement was a growing one, and it was but a question of time and circumstance when the custom would become national."³

That time and circumstance arrived with the inauguration of Andrew Jackson as President of the United States in 1829. A product of the frontier democracy, by nature a relentless and vindictive fighter, Jackson could be expected to reward his friends and to punish his enemies. He believed absolutely in the democracy of short terms and rotation in office. In his first message to Congress he outlined his philosophy as to the civil service. Jackson's Administration definitely inaugurated the spoils system in the National Government.

Although denounced by the leading statesmen of the day, Webster, Calhoun, and Clay, the system flourished and reached its climax in the period from 1845 to 1865. During this period it was expected that a new administration would make a clean sweep of the offices. The principle of rotation

³*Ibid.*, p. 103.

was even interpreted to apply when one administration of the same party succeeded another. The conditions of the period are aptly described by Fish:

The period from 1845 to 1865 marks the apogee of the spoils system in the United States: the old traditions of respectability had passed away, and the later spirit of reform had not arisen; the victors divided the spoils and were unashamed. The general interest was turned almost completely from attempts to limit the patronage of the executive and to improve the service, to the rival fortunes of the office beggars. . . . The presidential election became a quadrennial "event," with the civil service as the prize. Every 4th of March great mobs filled the capital, and the streets and saloons were crowded with men betting heavy expense and vast loss of time on the chance of getting something out of the hurly-burly.⁴

VITALITY OF THE SPOILS SYSTEM

What accounts for the tenacity of the spoils idea in the public service since the Civil War? What were the elements of vitality in the system? The answer is to be found in part in the unusual conditions, economic, social, and political, which prevailed after 1865.

Issues of slavery and abolition overshadowed everything before the Civil War. After the War the pursuit of material prosperity drew attention away from the abuses in public administration. The great conflict resulted in giving a great impetus to railway construction and to industry and business. The speculative or gambling spirit in business prevailed everywhere, particularly in oil, gold, and railway securities. The old moral standards of an earlier generation had disappeared. The accumulation of wealth by whatever means was, to many, the most important object in life. Absorption of the principal men of the community in the promotion of their own commercial enterprises left public affairs in the cities largely to the professional politicians, who were aided in their machine rule by the rapid growth of cities and the presence of large numbers of immigrants

⁴*Ibid.*, p. 158.

from Europe. The Tweed Ring in New York City and plundering groups in other cities brought American municipal government to the lowest point of morale in its history.⁵

The Civil War itself greatly expanded the patronage at the disposal of the Government. The number of laborers, clerks, and officials greatly increased, and contracts for the production of war materials were often let, not on the basis of merit, but on that of influence and position. The victory of the Republican Party in 1864 solidified its control of the Government. Having won the War, the party considered that it was entitled to the spoils.

In these conditions we find the general explanation for the vitality of the spoils system and the tenacity with which it clung to our public institutions in the decades following the Civil War. Certain fundamental political doctrines and attitudes also contributed to its strength—rotation in office, short terms, and the American doctrine of equality. The average citizen did not demand great skill and efficiency of the Government workers; in fact, he was violently opposed to a bureaucracy. The administration ran along in a careless manner, the average man relied very little on his government, and people were not shocked when politicians used the public offices as rewards for partisan service.⁶

Fish says that we will find the cause of the strength of the spoils system in the analysis of the need which it fulfills.

The true cause for the introduction of the spoils system was the triumph of democracy. If the people as a whole are to exert any tangible influence on the conduct of government, they must be organized. . . .

⁵C. A. Beard, *Contemporary American History, 1877-1913*, pp. 28-34, 38-40 (1921); E. P. Oberholtzer, *A History of the United States Since the Civil War*, Vol. II, pp. 538-546, 556-581 (1922); James Bryce, *The American Commonwealth*, rev. ed., Vol. II, pp. 379-380 (1913); Gustavus Myers, *The History of Tammany Hall* (1917); W. B. Munro, *The Government of American Cities*, 4th ed., pp. 31, 36 (1926); C. R. Lingley, *Since the Civil War*, rev. ed., p. 101 (1926).

⁶Bryce, *op. cit.*, pp. 138-140.

This work [of organization] requires the labor of many men: there must be captains of hundreds and the captains of tens, district chiefs and ward heelers. Now, some men labor for love and some for glory; but glory comes only to the leaders of ten thousands, to the very few—it cannot serve as a general inducement, and even those who love must live. It is an essential idea of democracy that these leaders shall be of the people; they must not be gentlemen of wealth and leisure, but they must—the mass of them at any rate—belong to the class that makes its own living. If, then, they are to devote their time to politics, politics must be made to pay. It is here that the function of the spoils system becomes evident; the civil service becomes the pay roll of the party leader; offices are apportioned according to the rank and merits of his subordinates, and, if duties are too heavy or new positions are needed, new offices may be created.⁷

While the politicians were making use of the public offices to pay political debts, public opinion seemed indifferent. Attacks upon the spoils system in Congress and in the press were looked upon as partisan attempts to embarrass the administration; the public conscience seemed dulled to the enormous abuses of patronage. No doubt the absorption of public attention with the problems of the War and Reconstruction contributed to the prevailing indifference. At any rate, the spoils system in 1865 seemed to be accepted as a necessary condition of popular government.

Whatever the cause, the effects of the system upon the politics and administration of the country were disastrous. Mr. George William Curtis in the report of the Civil Service Commission to President Grant in 1871 accurately described the conditions which existed under the spoils system.

In obedience to this system the whole machinery of the government is pulled to pieces every four years. Political caucuses, primary meetings, and conventions are controlled by the promise and the expectation of patronage. . . . The business of the Nation, the legislation of Congress, the duties of the departments are all subordinated to the distribution of what is well called "the spoils." No one escapes. President, secretaries, senators, representatives, are pertinaciously dogged and besought on the one hand to appoint, on the other to retain, subordinates. The great officers of the government are constrained to become mere office brokers. . . .

⁷Fish, *op. cit.*, pp. 156-157. See also Bryce, *op. cit.*, pp. 140-141.

But the evil system under which the country suffers tends to change the election from a choice of policies into a contest for personal advantage. It is becoming a desperate conflict to obtain all the offices, with all their lawful salaries and all their unlawful chances. The consequences are unavoidable. The moral tone of the country is debased. The national character deteriorates. No country or government can safely tolerate such a surely increasing demoralization.⁸

LEADERS OF THE REFORM MOVEMENT

It was such conditions in the public service of the United States that produced the civil service reform movement. In the following chapters we shall relate the story of the long struggle between spoils and merit as the guiding principle in our public administration. Before entering upon the detailed history of reform we may pause to consider the human elements involved in the struggle. These elements included the spoilsman, the reformers, and the President.⁹ The part played by the chief executives in the reform controversy will be treated fully later.¹⁰ We will here briefly contrast the motives and system of ideas of a few of the leading advocates of the patronage system and of the reform idea.

The decades following the Civil War witnessed a revolution in politics as well as in economics. The old political leaders—Clay, Webster, and Calhoun—were replaced by politicians of the new school—Conkling, Platt, Cameron, Gorman, Quay, and Blaine. “The new Senate was composed of men of affairs—practical men, who organized gigantic enterprises, secured possession of natural resources and franchises, collected and applied capital on a large scale to new business undertakings, built railways, established cities with the advancing line of the western frontier—or represented such men as counsel in the courts of law.” There were few great orators or profound students of politics among them; the majority “cultivated only the arts of

⁸G. W. Curtis, *Orations and Addresses*, Vol. II, pp. 36–37 (1894).

⁹Lingley, *op. cit.*, p. 131.

¹⁰See especially Chaps. II and III.

management and negotiation.”¹¹ Few left a record which would entitle them to permanent fame.

Regarding the dominance of their party under their leadership as an absolute necessity, they controlled the bulk of the machinery dealing with patronage and perfected the practice of the “courtesy of the Senate.”¹²

Their political philosophy was that of the spoils system. For reform and the reformers they had nothing but ridicule and contempt.¹³ But they were not without a positive program; they had a theory of government, which may be noted throughout the *Autobiography* of Thomas C. Platt, political boss of New York and a colleague of Conkling in the Senate. It may be stated as follows:

In the field of actual politics, parties are a necessity and organization is essential. It is the duty of the citizen, therefore, to support the party that stands for right policies and to adhere closely to its official organization. Loyalty should be rewarded by appointment to positions within the gift of the party; and disloyalty should be looked upon as political treason. One who votes for anyone except the organization candidate feels himself superior to his party, is faithless to the great ideal and is only a little less despicable than he who, having been elected to an office through the energy and devotion of the party workers, is then so ungrateful as to refuse to appoint the workers to positions within his gift. Positions constitute the cohesive force that holds the organization intact.¹⁴

Our interest here is with the leaders of the reform group. Who were the men who entered the struggle against the spoils system after the Civil War? What motives inspired their activities? To mention the names of George William Curtis, Dorman B. Eaton, Carl Schurz, Everett P. Wheeler, Charles J. Bonaparte, Richard Henry Dana, and William Dudley Foulke is sufficient evidence of the distinguished

¹¹Beard, *op. cit.*, pp. 50-54.

¹²Fish, *op. cit.*, chap. 9.

¹³See *infra*, pp. 106-107.

¹⁴Lingley, *op. cit.*, p. 132. See also T. C. Platt, *Autobiography* (1910); H. F. Gosnell, *Boss Platt and His New York Machine* (1924).

character of the early leaders of reform.¹⁵ Politics attracted these men, but not the machine politics of the day. It was revolting to their every ideal and principle. Some of them had participated in the fight against slavery and here was a new enemy of democratic institutions, a new kind of slavery. In the spoils system they saw an evil, which, if unchecked, would destroy the Republic. Opponents of political corruption in every form, they struck at the source of the evil—the patronage system in public administration. A sketch of the careers and efforts of a few of the early leaders of the reform movement will illustrate the eminent character of its advocates.

George William Curtis (1824–1892). Mr. Curtis was born February 24, 1824, at Providence, R.I. On both sides his ancestors were of Puritan stock. Although his formal schooling was slight, he was a great reader and was practically self-taught. After a short experience in business, which he did not like, he spent two years at Brook Farm. Several years of European travel followed, from which he returned in 1850 to devote himself to literary work. He was a regular contributor to *Putnam's Magazine*, to *Harper's Magazine*, and to *Harper's Weekly*, becoming political editor of the *Weekly* in 1863. An early opponent of slavery, he entered national politics in 1856 in support of the candidate of the newly formed Republican Party, and he was a member of the convention which nominated Lincoln in 1860. In the New York Constitutional Convention of 1867 he championed the cause of woman suffrage. For nearly thirty years he was one of the regents of New York University and for several years before his death he was Chancellor of the University.¹⁶

He was a public man in the highest sense, although he refused all offers to hold political office. He believed in political parties, and performed for years all of the detailed duties of a party man, serving on party committees and at

¹⁵The activities of Messrs. Foulke and Dana extending from about 1880 to the present time will be discussed in later chapters.

¹⁶Edward Cary, *George William Curtis* (1894).

conferences and conventions, national, state, and local. He thought that political contests should be conducted upon principle and not for the spoils. When he became convinced that his party would not meet the demand for reform, he quit the party and became a political independent.

After the settlement of the slavery controversy the reform of the civil service became the dominating motive in Mr. Curtis' life. From 1871, when he was appointed chairman of the first Civil Service Commission under President Grant, until his death in 1892, he was the acknowledged leader of the reform movement. He took a prominent part in the organization of the New York Civil Service Reform Association and the National Civil Service Reform League, and was President of both organizations until his death. He advised in the drafting of the Pendleton Law and assisted its passage through Congress. His labors for the cause of reform were incessant. His biographer, Mr. Cary, says: "No important step was taken anywhere without his approval, and very much that was done was due to his initiative. His correspondence was, on this subject alone, enough to tax the patience and strength of any man, but it was never neglected and rarely deferred. His attendance at all committees was faithful, and his part in their work a marvel of patience, vigilance, sound judgment, and inspiring zeal."¹⁷

As President of the League he delivered at the annual meeting an address reviewing the progress of reform for the year, pointing out the work that remained to be done, together with an appeal for the general cause.¹⁸ These addresses "were models of appeal—crammed with pertinent facts, with impregnable proofs, with withering sarcasms, with irresistible eloquence."¹⁹

In these and in other addresses we see Mr. Curtis' philosophy of civil service reform. He attributed much of the political corruption of the day to the evils of patronage.

¹⁷*Ibid.*, pp. 294-295.

¹⁸Curtis, *op. cit.*, Vol. II.

¹⁹Parke Godwin, "George William Curtis," *Commemorative Addresses*, p. 48 (1895).

To destroy the spoils system would purify politics and regenerate the public life of the times. Always the moral aspects of reform were foremost in his mind. In the report made to the President in 1871 by the Civil Service Commission, Mr. Curtis, in condemning the spoils system, said: "The consequences are unavoidable. The moral tone of the country is debased. The national character deteriorates. No country or government can safely tolerate such a surely increasing demoralization."²⁰ To emancipate the Nation from the evils of patronage was the task which he had set for himself. His real aim, says Mr. Cary, was "to drive politics out of the civil service and to drive patronage out of politics."

He represented the highest type of American idealism and civic patriotism in an age when the political conscience of the community needed to be stirred to revolt against the political corruption of the day.

Carl Schurz (1829-1906). Mr. Schurz was born at Liblar, near Cologne, Prussia, on March 2, 1829, the son of the village schoolmaster. He was educated at the Gymnasium of Cologne and the University of Bonn. He took part in the revolutionary disturbances of 1848, and, after the failure of the liberal movement, escaped to Switzerland. Returning secretly to Germany, he was successful in a daring attempt to liberate his old instructor and friend from the fortress of Spandau. For the next four years he lived in Paris and London, engaged in journalistic work and teaching. In 1852 he came to America, residing first in Philadelphia, later, in 1855, at Madison, Wis.²¹

His liberal views made him the inevitable enemy of human slavery. He joined the Republican Party in 1856 and campaigned for Fremont; in 1860 he was a member of the convention which nominated Lincoln. President Lincoln appointed him Minister to Spain, a position which he resigned in December, 1861, to enter the army, where he

²⁰Curtis, *op. cit.*, p. 37.

²¹Carl Schurz, *Reminiscences*, Vols. I-III (1907-1908); *New York Times*, May 15, 1906.

attained the rank of major general. At the close of the War he was commissioned by President Johnson to make a personal inspection of conditions in the South. He supported Grant in 1864. In January, 1869, he was elected Senator from Missouri. He was the leading spirit in the Liberal Republican movement of 1872 and presided over the convention which nominated Greeley. In 1876 he campaigned for Hayes and became Secretary of the Interior in his Cabinet. After 1881 he retired from active official life and became a leading and typical independent. He supported Cleveland for President in 1884, in 1888, and in 1892. In 1896 he supported McKinley, but opposed him in 1900 on the issue of imperialism. In 1904 he supported Parker.

German patriot, enemy of human slavery, soldier, Senator, and Cabinet officer, Carl Schurz was ever and always the aggressive and implacable foe of political corruption. In 1871 he introduced a bill in the Senate to improve the federal civil service and made the first great speech in that body in behalf of the reform. As Secretary of the Interior he introduced a system of competitive examinations for the selection of employees in his department and insisted upon the merit principle in appointments and removals. He was a member of the Newport Conference, which organized the League, and he became a member of the Executive Committee in 1881. He was President of the League from 1893 to 1900 and of the New York Civil Service Reform Association from 1893 until his death. No detail of the reform, national, state, or local, escaped his attention. His work in this respect alone would have been sufficient for one of his years.

The *New York Times*, editorially, said: "Carl Schurz was a born lover of liberty. . . . Mr. Schurz contended for the liberty to live, to have, and to enjoy, for civil freedom under equal laws."

At the memorial meeting at Carnegie Hall, New York City, November 21, 1906, Mr. Charles J. Bonaparte, in speaking of his services to reform said:

He taught by example that a great Department of the Federal Government could be successfully administered on the principles of Civil Service Reform before there was a Civil League or Association to demand such a law. Restored to private life, he gave his aid to form the New York Association and the National League, and, from their organization to his death, contributed so zealously of his time, his talents, and his labor in their work that their history is his history, their merit his merit, their success his success. In well-nigh everything which has made for righteousness in the progress of this great reform, in our remedial laws, in our corrected customs, whether of administration or politics, in the growth of a strong and healthy public opinion, in the quickening of the Nation's sense of right, one who searches will find the influence, direct or indirect, evident or slightly veiled, of his earnest, persistent and eloquent advocacy, will see the stamp of his work.²²

Dorman Bridgman Eaton (1823–1899). Born in Vermont in 1823, Mr. Eaton was graduated from the University of Vermont in 1848 and from the Harvard Law School in 1850. Removing to New York City, he formed a law partnership with Judge William Kent and was prominent in many of the largest and most important cases in the courts.²³

He was early identified with the foes of corruption in municipal government and politics and took a leading part in the movement to crush the Tweed Ring. For his activities in behalf of good government he was assaulted and seriously injured by one of Tweed's followers. He was the author of a treatise on municipal government and the draftsman of a number of important municipal laws.²⁴

His first interest in civil service reform followed a visit to Europe in 1866, where he studied the development of the civil service in various countries. Following the attack upon his life, when he was unable to practice law, he continued his studies of reform, making an extended visit to England. Upon his return home in 1873 he was

²²*Good Government*, Vol. XXIII, p. 184 (1906).

²³*Dorman B. Eaton, 1823–1899; New York Times*, December 24, 25, 1899.

²⁴*D. B. Eaton, The Government of Municipalities* (1899).

appointed by President Grant chairman of the Civil Service Commission, a position which had been resigned by George William Curtis. It was at his home in New York City that a group of leading reformers met on May 11, 1877, to take the initial steps for the formation of the first civil service reform association in the United States. Four years later he was present at the memorable conference at Newport, R.I., where the National League was organized.

Upon suggestion of President Hayes, Mr. Eaton again visited England in 1877 to study the history and condition of the British civil service. The report which he prepared was transmitted by the President to Congress and later published by that body. It was published also in book form and had a tremendous influence upon public opinion.²⁵

Mr. Eaton is best known as the draftsman of civil service laws and regulations and as a practical civil service administrator. As chairman of the Committee on Legislation of the New York Civil Service Reform Association he prepared the draft of the Pendleton Law for the federal service, and he was constantly consulted on the details of civil service laws and regulations. As the New York Civil Service Reform Association said in a resolution adopted at his death: "He may well be said to have been the legislative architect of civil service reform in this republic. . . ."²⁶ He served upon the Civil Service Commission of the United States during the administrations of Presidents Grant, Hayes, Arthur, and Cleveland. Realizing that the new system would be violently opposed by politicians and that the public must be gradually educated to its acceptance, Mr. Eaton insisted that the new rules and regulations should apply to only a small part of the national service and that future extensions should be made slowly by executive orders of the President.

As with Mr. Curtis, the interest of Mr. Eaton in civil service reform was principally in the larger aspects of the

²⁵D. B. Eaton, *Civil Service in Great Britain* (1880).

²⁶*Good Government*, Vol. XVII, p. 43 (1900).

problem. He viewed reform not merely as "providing practical methods in administration" but also as "a test and expression of the justice and moral tone of a nation's politics." In the conclusion of his report on the British civil service, he wrote, ". . . civil service reform is not merely a mode of procedure and an economy, but has become a vital question of principle and public morality involving the counterpoise and in no small degree the stability of the government itself."²⁷

Everett Pepperrell Wheeler (1840-1925). Mr. Wheeler was born in New York City of parents of New England ancestry. In 1856 he was graduated from the College of the City of New York and later received a degree from the Harvard Law School. During his whole life he resided in New York City, and all of his activities as lawyer and citizen were allied with the city of his birth.²⁸

His principal interests were law, municipal politics, civil service reform, and general and industrial education. For many years he worked for tariff reform. On the other hand, he was President of the Association Opposed to Woman's Suffrage. As a member of the Committee of Seventy in 1893 he campaigned for the election of the successful independent candidate, Mayor Strong. In 1901 he supported another independent, Seth Low, for mayor. In politics he was a Democrat and took a prominent part in the party organization. He held official positions in many public and quasi-public organizations. His writings included several books, and he was a frequent contributor to newspapers on a wide variety of topics of a public nature.

His labors for civil service reform were long and important. He opened that notable conference of pioneer reformers at Newport, R.I., on August 11, 1881. As a member of the Executive Committee of the newly formed League, he aided in the perfection of the organization. He was one of

²⁷*Civil Service in Great Britain*, pp. 358, 438 (1880).

²⁸*New York Times*, February 10, 1925; "Everett Pepperrell Wheeler—'56," *City College Quarterly*, Vol. XII, pp. 5-12 (1916); E. P. Wheeler, *Sixty Years of American Life* (1917); *Minutes of the Council*, February 24, 1925, pp. 3-4.

a small group who collaborated with Dorman B. Eaton in the preparation of the Pendleton Law. With Edward M. Shepard he drafted the New York State civil service law. From 1884 to 1889 and again from 1894 to 1897 he was chairman of the New York City Civil Service Commission. He was at various times President and Vice-President of the New York Civil Service Reform Association and a member of the Executive Committee and of the Council of the League. For many years he was chairman of the Law Committee of the League and of the New York Association, in which capacity he rendered notable service.

He was a splendid example of the conscientious, high-minded, public-spirited citizen of the past generation.

Charles Joseph Bonaparte (1851-1921). Born in Baltimore, Md., on June 9, 1851, Mr. Bonaparte was the grandson of Jerome, King of Westphalia, the brother of the great Napoleon. He was graduated from Harvard in 1871 and from the Harvard Law School in 1874 and thereafter engaged in the practice of law in his native city. Although he never held local office, he was always interested in civic and educational matters. He took a leading part in the struggle for honest government in his own city and was at one time President of the National Municipal League. From 1905 to 1909 he was a member of Roosevelt's Cabinet, first as Secretary of the Navy and then as Attorney-General.²⁹

Jurist, administrator, publicist, and philanthropist, he gave his most lasting public service in the cause of civil service reform. In 1881 he helped to organize the Civil Service Reform Association of Maryland and the National Civil Service Reform League. He was a member of the Council of the National League from the early days of its organization, and was for a time Chairman of the Council. At the time of his death he was a Vice-President of the National League. In 1885 he assisted in establishing the *Civil Service Reformer*, a weekly paper which was the official

²⁹J. B. Bishop, *Charles Joseph Bonaparte, His Life and Public Services* (1922); Paul Winchester, *Men of Maryland Since the Civil War*, Vol. I, pp. 156-158 (1923); *New York Tribune*, June 28, 1921.

organ of the Maryland Civil Service Reform Association. He was a regular contributor and the principal financial supporter of this paper until its consolidation with the *Civil Service Record* in 1892.

For more than a quarter of a century he was a fearless, consistent, and zealous fighter of evils, a reformer in the highest sense. As the Council of the National League said in a resolution adopted at his death, "What distinguished him from others and made his advocacy of civil service reform so effective was his absolute fearlessness, the clarity and felicity of his expression, his powers of sarcasm and his caustic wit."³⁰

Civil service reform was to him a moral question. The conferring of public office as a reward for personal or party service was "immoral," a "breach of trust and a form of bribery."³¹ His biographer, Mr. Bishop, says, "The keynote of all his advocacy was expressed in his earliest utterances and constantly reiterated in all subsequent ones: 'The principle of civil service reform is one of high morality.' 'Civil service reform is the application of morality and common sense to the choice and tenure of public servants.' "³²

SUMMARY

The spoils system, originating in the states during the first decades of the nineteenth century, became nationalized during the administration of Andrew Jackson. Developing through successive administrations of different political parties, it perfected its machinery in the period before the Civil War and was practically accepted as a necessary condition of popular government.

The influence of the War, long possession of almost undisputed power by one political party, and reckless speculation in business produced a general demoralization of

³⁰Commemorative Resolution Adopted by the Council of the National Civil Service Reform League at New York City, October 5, 1921 (Published separately).

³¹Proceedings of the League, 1889, pp. 43-48.

³²Bishop, *op. cit.*, pp. 61-62.

public life in the period after 1865. A new group of political leaders in the Senate, through the practice of senatorial courtesy, controlled the patronage in the federal service. The spoils system reigned unchecked and unashamed.

Such conditions inevitably produced a reform movement. Into the fight for honesty and decency in public administration there entered a small group of men, inspired by the highest patriotism and civic enthusiasm, fired by the moral earnestness and the consciousness of a worthy cause. They were all men of good education, of excellent antecedents, successful in other lines and interested in other reforms, and most of them had sufficient wealth to allow them the necessary time for their advocacy of reform. They were writers and speakers, so that they molded public opinion even though their numbers were small. In a period of low ebb in national life they inaugurated a campaign to regenerate democracy. No reform movement ever had nobler or abler leaders—Curtis, embodying the finest type of American idealism; Schurz, the German patriot and liberal; Bonaparte, heir to the traditions of a great name; Eaton and Wheeler, representative of the best legal traditions of American life.

Under such leadership the civil service reformers made significant progress in the twenty years following the Civil War. Although the number engaged in the movement was never very large and the funds at their disposal were always meager, they were able, with capable leadership and a worthy cause, to lay the foundation for a far-reaching reform in America's political life.

CHAPTER II

TWO DECADES OF REFORM, 1865-1885

In many respects the twenty years following the close of the Civil War represent the most interesting period in the history of civil service reform. The efforts of Representative Jenckes and others to get a reform bill through Congress, and the brief and limited experience with civil service rules under President Grant apparently ended in failure in 1875. But the next decade witnessed the initial triumph of the reformers. Numerous friends of reform were organized into local reform associations, and these were united into a National League, which, under able leadership and inspired by the desire to purify politics, waged a successful campaign for the education of public opinion, the enactment of reform legislation, the eradication of political abuses, and the election of a President of the United States pledged to enforce and extend the law.

EARLY EFFORTS FOR REFORM

A few feeble efforts for reform were made before the Civil War. Frequent protests were heard in Congress against the demoralizing influence of the spoils system and some attempts were made to secure legislation prohibiting the appointment of members of Congress to civil offices, and to repeal the Four Years' Act, but without success.¹ In 1853 and 1855 acts of Congress divided the clerical force in the departments at Washington into four divisions and provided pass examinations for entering the clerical service. But the examinations were inadequate, and, as conducted, a farce. In 1856 Congress authorized the President to prescribe regulations for the appointment of consular officers, but no formal system of selection was set up.²

¹C. R. Fish, *The Civil Service and the Patronage*, pp. 56-60, 74-75, 150 (1905).

²Lewis Mayers, *The Federal Service*, pp. 41-42 (1922); 10 Stat. at L. 209-211, 669 (1885); 11 Stat. at L. 57 (1856).

The movement for civil service reform began in earnest after the Civil War. Early attempts to secure legislation by Congress—the Sumner bill of 1864, the Jenckes bills of 1865–1868, and the Schurz bill of 1869—met with little success. They attracted some attention in Congress and in the independent press, but had no chance of passage.³

Failure in Congress did not discourage the friends of reform. Agitation was so persistent and public opinion was so awakened to the necessity of reform that President Grant, in his second annual message to Congress, in December, 1870, invited its attention to the need of reform in the civil service. On March 3, 1871, by a rider attached to the appropriation bill, the President was authorized to prescribe regulations for the admission of persons to the civil service of the United States, to ascertain their fitness, and to employ suitable persons to carry out the provisions of the bill. In accordance with the act, President Grant on the next day appointed a Civil Service Commission with George William Curtis as chairman to report on rules to be adopted.⁴ The first report of the Commission was made to the President, December 18, 1871, and the second in April, 1872.⁵ On April 16, 1872, competitive examinations were introduced in the departments at Washington, in the customs service at New York, and in part in the New York post office.

Meanwhile reform sentiment had grown to such an extent that it could not be ignored by the political parties. The Liberal Republican Party was the first to declare in favor of reform, its platform of 1872 calling for “thorough reforms of the Civil Service.” The plank adopted by the regular Republican Convention of 1872 was somewhat similar, but declared against any intention of “creating a life-tenure of office.”⁶

³*Good Government*, Vol. XIII, pp. 99–100 (1894); Fish, *op. cit.*, pp. 210–213.

⁴*Good Government*, Vol. XIII, p. 122 (1894); Fish, *op. cit.*, pp. 212–213; 16 Stat. at L. 514 (1871).

⁵G. W. Curtis, *Orations and Addresses*, Vol. II, pp. 29–116 (1894); Edward Cary, *George William Curtis*, chap. 16 (1894).

⁶K. H. Porter, *National Party Platforms*, pp. 77, 82–83 (1924).

The attempt of the President to give the new system a fair trial met with the active opposition of the spoils-men in the President's party. When in February, 1873, President Grant violated the rules he had approved and promulgated by appointing a politician as surveyor of customs at the port of New York, Mr. Curtis was so discouraged that he resigned as a member of the Advisory Board. He was succeeded on the Advisory Board by Mr. Dorman B. Eaton. Congress having failed in December, 1873, and 1874, to make an appropriation for the support of the Commission, President Grant, much to the disappointment of the reformers, formally abandoned the system in March, 1875, and the examining boards were suspended.⁷

The platforms of both major parties in 1876 included planks on the reform.⁸ Mr. Curtis aided in framing the Republican plank. Hayes's avowed adherence to sound civil service methods brought him the support of the reformers. In his inaugural address he reiterated the pledges of the platform, and in his first annual message pointed out that the Grant Commission was still in existence, though inactive for lack of funds.⁹ The President further showed his sincere support of reform by his executive order against participation of office-holders in politics, his declaration against political assessments, and by the appointment of Carl Schurz as Secretary of the Interior. That leader of reform immediately adopted a code of rules for appointments in his department based upon those of 1872-1875 and rigidly adhered to them.¹⁰ A few months after his inauguration President Hayes approved the suggestion of Mr. Eaton that he should visit England to study the history and condition of the British civil service. Mr. Eaton's report was transmitted by the President to Congress in December, 1879. It was afterwards embodied in Mr. Eaton's

⁷Curtis, *op. cit.*, pp. 198-199; Fish, *op. cit.*, pp. 213-214.

⁸Porter *op. cit.*, pp. 89-90, 96.

⁹Fish, *op. cit.*, p. 215.

¹⁰Carl Schurz, *Reminiscences*, Vol. III, p. 377 (1908).

Civil Service in Great Britain, a splendid piece of propaganda which had great influence on public opinion.¹¹

ORGANIZATION OF THE LEAGUE

On May 16, 1877, at Municipal Hall, 67 Madison Avenue, the New York Civil Service Reform Association, the first to be formed in the country, was organized by a group of reformers who had first met at the home of Dorman B. Eaton in New York City on May 11. A constitution was adopted, and at a meeting on May 29 the Reverend Henry W. Bellows was elected President, and Mr. Eaton, chairman of the Executive Committee. The Association had an active life for about a year. Owing to differences of opinion upon current topics among its members, it accomplished no practical work. Two and one-half years later it became the foundation of an association which took a leading part in the reform movement.¹²

In March, 1879, the President issued an order enforcing the use of competitive examinations in the New York custom house, and Mr. Silas W. Burt, naval officer of the Port of New York, was given entire charge of the work. A code of rules was adopted, and prominent men of every profession, particularly clergymen and editors, were invited to attend the examinations. In 1880 competitive examinations were revived in some parts of the New York post office.¹³

As a result of the popular interest aroused by the demonstrations of these examinations and of letters written to

¹¹Henry Lambert, *The Progress of Civil Service Reform in the United States*, p. 10 (1885); *Good Government*, Vol. XIII, p. 135 (1894).

¹²Minutes of the Executive Committee of the Civil Service Reform Association, New York, Vol. I, pp. 1-4 (1877); Lambert, *op. cit.*, p. 10; Fish, *op. cit.*, p. 217; *Good Government*, Vol. XIII, p. 135 (1894); E. P. Wheeler, *Sixty Years of American Life*, p. 264 (1917); *Report of the Executive Committee of the Civil Service Reform Association*, New York, 1881, p. 3.

¹³*Good Government*, Vol. XIII, p. 135 (1894); Fish, *op. cit.*, p. 216.

the *Nation*, a movement was started for the reorganization of the old New York Civil Service Reform Association. On October 11, 1880, the Association was reorganized, a new constitution adopted, and Mr. Curtis elected President; Mr. Everett P. Wheeler was chosen chairman of the Executive Committee. A Committee on Legislation was appointed, consisting of Dorman B. Eaton, Orlando B. Potter, and Everett P. Wheeler. The Committee reported to the Association, on December 27, 1880, a draft of a bill to regulate and improve the civil service of the United States, which had been drawn by Mr. Eaton assisted by George William Curtis, Silas W. Burt, Orlando B. Potter, Everett P. Wheeler, Carl Schurz, and Wayne MacVeagh. After careful consideration and changes in some details, the bill was approved by the Association and on the thirtieth of December, 1880, was placed in charge of the Committee on Legislation with instructions to present it to Congress and promote its enactment into a law. The Committee was also instructed to urge the repeal of the Four Years' Law of 1820 and all similar statutes.¹⁴

The work of the Legislative Committee is thus described by Mr. Eaton:

In the meantime, and only fifteen days previously, Mr. Pendleton had presented the Jenckes bill in the Senate. There had been neither coöperation nor privity between him and the Association or its committees in the preparation of the new bill or in the presentation of the Jenckes bill.

Acting on instructions from the Association, I presented a copy of this new bill to Senator Pendleton early in January, 1881, and soon after to Mr. Willis. It was a delicate matter to ask the Senator to abandon a bill with which his name had become identified and to substitute for it another with very different provisions, and this on the ground that the so-called "Pendleton bill" not only contained provisions repugnant to the Constitution but provided for practical methods which could not be carried into effect. Yet without such a substitution a conflict, likely to

¹⁴*Good Government*, Vol. XIII, pp. 107-108, 135-136 (1894); *Report of the Executive Committee of the Civil Service Reform Association*, New York, 1881, pp. 3-5; *Proceedings of the League*, 1906, pp. 120-126.

be fatal to the cause of Reform, seemed unavoidable. Senator Pendleton became convinced that the objections to the bill he had presented were fatal, and he patriotically and magnanimously undertook to substitute the new bill in its place. On the 10th of January, 1881, he presented the latter bill in the Senate, which, like the former, was designated the "Pendleton bill." The first hearing before the Senate Committee on the bill took place January 13, 1881, when Mr. Wheeler and Mr. Eaton spoke in support of it.¹⁵

The facts as to the origin of the national civil service act have never been disputed. Senator Pendleton publicly acknowledged his obligation to the reformers. In the course of a speech at a banquet given in his honor in New York on April 28, 1885, by a number of civil service reformers, he acknowledged his indebtedness to them. Of his part in the movement he said:

In this presence, I desire to make my acknowledgment of obligation. I was groping in the dark with the Jenckes bill of the olden time. Some gentlemen in New York, some of whom I see present around me, being conscious of the errors which had been committed and knowing the best methods of correcting them, without consultation with me drafted a bill, and sent it for my examination. I shall not easily forget the morning on which a gentleman whom I had never seen before, Mr. Dorman B. Eaton, explained to me the defects of the Jenckes bill and the provisions of the New York bill, and left it for my consideration. With amendments which were soon agreed upon, the bill was presented to the Senate, was reported favorably by the committee, and speedily passed by a large majority both Houses of Congress. It was my good fortune to have the opportunity of introducing the bill into the Senate, of urging its adoption upon the floor of the Senate, and of pressing it to its final passage. My modest part was in that short, sharp contest, and I did my utmost to secure its success.¹⁶

Revived interest in the reform led to increased membership in the New York Association and to the formation of

¹⁵*Good Government*, Vol. XIII, pp. 107-108 (1894); *Civil Service Reformer*, Vol. I, p. 20 (1885); *Report from the Select Committee to examine the several branches of the Civil Service*, 46th Cong., 3d sess., Senate Report No. 872, Appendix, pp. 13-31, 31-46 (1881); *Civil Service Record*, Vol. I, pp. 22-23 (1882).

¹⁶*Civil Service Record*, Vol. V, p. 10 (1885).

similar associations in various places. The membership of the New York Association grew from 100 to 583, representing thirty-three states and territories. In 1882 the number of members had increased to 1,232 and the next year to over 1,400.¹⁷

Immediately after its reorganization in the autumn of 1880 the New York Association, through its Executive Committee, appointed a subcommittee on Affiliated Societies, which actively engaged in the work of stimulating the organization of similar associations elsewhere. Up to May 5, 1881, nine societies had been organized, namely in Brooklyn, Boston, Cambridge, Cincinnati, Milwaukee, Philadelphia, Providence, West Newton (Mass.), and San Francisco. Seven societies were in process of formation, namely, in Buffalo, New Orleans, Worcester (Mass.), St. Paul, St. Louis, Baltimore, and Pittsfield (Mass.), and, according to the report of 1881, there were hopeful indications of similar movements in fourteen other localities. The stir was already felt in eleven states, the aggregate number of those actively interested was large, and among those most active were many men of national reputation.¹⁸

Under the caption of "Affiliated Societies" the New York Civil Service Reform Association, through its Executive Committee, published an appeal urging the establishment of Affiliated Societies throughout the country to promote and to hasten the reform of the civil service. It was suggested that those interested should organize and strengthen the local interest in the reform, and place their local club in correspondence with the New York Civil Service Reform Association, so that the scattered efforts of local organizations might be molded into a concerted national movement, with a definite plan of procedure. It was also suggested that the Affiliated Societies should enlist individual members and newspapers in advocacy of reform, circulate documents, employ lecturers, circulate petitions to Congress, and

¹⁷*Report of the Executive Committee of the Civil Service Reform Association*, New York, 1881, p. 7; 1882, p. 5; 1883, p. 6.

¹⁸*Ibid.*, 1881, p. 6.

secure the support of members of Congress by all proper means. Similar appeals were published in their journals by the Boston and Cambridge Civil Service Reform Associations.

As a result of correspondence between the Boston and Cambridge Associations and the New York Association, a conference of the Civil Service Reform Associations of the United States was held at Newport, R.I., in pursuance of an invitation issued by the New York Association on July 29, 1881. Thirteen local associations were represented by fifty-eight delegates, including Baltimore, Boston, Buffalo, Brooklyn, Cambridge, Cincinnati, New York, Philadelphia, Pittsburgh, Providence, St. Louis, Springfield (Mass.), and West Newton (Mass.).

Mr. Everett P. Wheeler of New York opened the conference. Of the many prominent reformers who attended the meeting, Mr. Wheeler later recalled Charles J. Bonaparte, of Baltimore; Charles R. Codman, Richard H. Dana, Roger Wolcott, and Augustus Hemenway, of Boston; Charles Theodore Russell, of Cambridge; George William Curtis, Silas W. Burt, Dorman B. Eaton, O. B. Potter, Carl Schurz, and Dr. William H. Thompson, of New York; Reverend J. A. Harris, W. W. Montgomery, and J. G. Rosengarten, of Philadelphia; Henry Hitchcock, of St. Louis; and Talcott Williams, of Springfield, Mass.¹⁹

Mr. George William Curtis was chosen to preside. The conference approved the Pendleton bill to reform the civil service and the Willis bill to remedy political assessments and promised to use all means to secure their passage by Congress. The conference also went on record as "approving as an important part of a system of competitive examinations . . . local examinations at various points convenient for those who might wish to be examined for the different States, these examinations and the local boards by which they may be conducted to be under the supervision of the National Civil Service Commission." Uncompromising opposition was expressed to "arbitrary removals from office,

¹⁹Wheeler, *op. cit.*, p. 278.

as well as to all interference by members of Congress with the exercise of the appointing power.”

The organization of the National Civil Service Reform League for the purpose of serving as a center of correspondence and of facilitating such united action as circumstances might demand was the outstanding accomplishment of the conference. The Executive Committee of the New York Civil Service Reform Association was authorized to act as a Provisional Central Committee of the League, and the several civil service reform associations were requested to name one person each to be a member of the Provisional Central Committee. Local associations were urged to promote the organization of civil service reform associations auxiliary to the National Civil Service Reform League, in every congressional district, as “highly desirable for the promotion of our objects.”²⁰

At the first meeting of the Provisional Central Committee of the National League of Civil Service Reform Associations, held in New York City, October 12, 1881, a committee on organization reported the following resolutions, which were adopted:

First. The National Civil Service Reform League shall consist of all the Civil-Service Reform Associations in the United States which signify their willingness to become members thereof.

Second. The object of the National Civil Service Reform League shall be to facilitate the correspondence and the united action of the Civil-Service Reform Associations.

Third. There shall be a Central Committee of the National Civil Service Reform League consisting of the Executive Committee of the New York Association and one delegated member from each of the other Associations, or such person as an alternate as each Association may delegate.

Fourth. The Central Committee shall have its headquarters in the city of New York.

²⁰*Record of Conference of the Civil Service Reform Associations held at Newport, R. I., on Thursday, August 11, 1881, pp. 1-11 (1881); Civil Service Record, Vol. I, no. 5 (1881).*

It was also voted that the functions of the committee as a provisional committee cease, and that the committee be considered thereafter as a League committee.²¹

A committee of three on further organization to report to the Central Committee appointed at the meeting of the Central Committee on November 2, 1881, drafted a constitution and by-laws, and at a meeting held January 11, 1882, the draft of the constitution was taken up clause by clause, discussed, amended and adopted, subject to verbal amendment by a committee composed of the President of the League, the chairman of this committee, the chairman of the special committee on organization, and the Secretary. It was resolved that the constitution should go into effect as soon as the General Committee, to be chosen by the various associations, should be ready to assume its duties. The draft of by-laws was laid upon the table.²²

At the first meeting of the General Committee organization of the League under the constitution was completed. The President of the League was made permanent chairman of the General Committee. Mr. William Potts was elected Secretary and Mr. John C. Eno, Treasurer. To defray expenses of the League it was resolved to request each association represented in the League to remit before April 1, 1882, to the Treasurer a sum equal to 10 cents for each member upon its rolls. The Executive Committee was authorized to exercise the powers of the General Committee until the General Committee should revoke the delegation of authority. It was voted that nine members of the Executive Committee should be chosen from members of the New York and Brooklyn Associations and one each from Philadelphia, Boston, Baltimore, Buffalo, St. Louis, and San Francisco.²³ March 1, 1882, the President appointed the fifteen members of the Executive Committee.

²¹*Report of Provisional Committee, National League of Civil Service Reform Associations*, October 12, 1881, New York City, p. 3.

²²*Minutes of Meeting of the Central Committee*, November 2, 1881, pp. 1-2; December 7, 1881, pp. 1-3; January 4, 1882, pp. 1-2; January 11, 1882, p. 1.

²³*Minutes of the First Meeting of the General Committee*, February 8, 1882, p. 1.

Organized under this constitution,²⁴ the League during the next four years carried on a militant campaign for the merit system, directed toward four major objectives: (1) To gain public support for the reform through a campaign of publicity and education; (2) To secure legislation in Congress and state legislatures and city councils; (3) To fight the evil of political assessments by exposing the methods of the spoilsman and by prosecuting suits for the violation of the law; and (4) To elect a President favorable to the honest enforcement of the civil service act.

EDUCATION OF PUBLIC OPINION

The reformers realized the value of public opinion and set about to influence it by all the known methods of the day. Addresses were issued to "the Voters" of the United States and to "the Reverend Clergy of All Denominations"; thousands of documents and pamphlets relating to all phases of the reform were printed and circulated;²⁵ likewise circulars and blank forms of petitions to Congress were distributed. Letters addressed by the associations to candidates for Governor, Congress, the Assembly, and city offices and their replies were printed and circulated, as well as the constitution and by-laws and lists of members of associations, proceedings and resolutions of annual meetings, reports of executive committees and secretaries of associations, and of special committees, and copies of proposed legislation. Articles were prepared for newspapers and the press, prizes were offered in the schools for the best essays on civil service reform, and the *Civil Service Record* contained monthly a statement of the progress of the reform. Addresses were made by prominent reformers to enthusiastic audiences; petitions were forwarded to Congress; arguments were made before congressional committees; and

²⁴See Appendix A.

²⁵In the first seven months after its reorganization in 1880, the New York Association circulated nearly 30,000 pamphlets and documents; during the next year over 230,000; and in the third year over 350,000. (Lambert, *op. cit.*, p. 12.)

office-holders and employees were warned of their rights and duties under political assessment laws. Formation of local associations progressed rapidly²⁶ and such associations grew steadily in membership.²⁷ Fish records that the first volume of *Poole's Index* in 1882 lists about one hundred articles on civil service reform. After mentioning the organization of the New York Association and the National League, he continues: "This was followed by the organization of state societies, and the movement was brought to a fighting stage. It is not by any means probable that the number of active reformers was so great as the number of their publications would lead one to think; but many of them were men highly educated and of literary tastes, and one such man wrote for ten."²⁸

But all of these efforts to gain public support for the reform would probably have resulted in failure but for the tremendous stimulus given to the movement by the assassination of President Garfield by a disappointed office-seeker. The crime aroused the conscience of the country. It has been said that civil service reform cannot be made pictorial nor dramatic, but here was an act which made a profound impression upon the public mind. That the President had fallen victim to the prevailing system of filling public offices was carried to the people in news editorials and cartoons. A cartoon which had great influence at the time, represented the assassin leveling a pistol at the President, with the demand "An office or your life."

The reformers were quick to see the propaganda significance of the crime. Mr. Orlando B. Potter, a member of the Executive Committee of the New York Association, gave \$2,000 to the committee to circulate President Gar-

²⁶The list of civil service reform associations published in the *Civil Service Record* for January, 1883, contains the names of fifty-nine local associations, in addition to the National League. The Minutes of the Executive Committee of the League, February 6, 1884, list 34 associations affiliated with the National League and 25 associations not affiliated with the National League.

²⁷*Supra*, pp. 25-26.

²⁸Fish, *op. cit.*, p. 217.

field's views on reform. A special committee prepared a circular on Garfield's favorable expressions on reform and a large placard was posted in all of the post offices of the country. This brought the reform movement to the attention of hundreds of thousands of people and was doubtless an important factor in early legislation. This sad occurrence furnished the opportunity for the greatest single example of successful League propaganda.

STRUGGLE FOR NATIONAL AND STATE LAWS

Creation of a favorable public opinion and attitude on the part of Congress and the legislatures for the enactment of a civil service law was the principal object of the campaign of education waged by the reformers. The early efforts to secure a federal law—the Sumner and Jenckes bills, the Eaton draft and its acceptance by Mr. Pendleton, the arguments of Messrs. Eaton and Wheeler before the Senate Committee in January, 1881—have been mentioned above.²⁹ The Pendleton bill was favorably reported by the committee but did not come up for a vote in the Senate before the end of the session on March 4, 1881.

On December 6, 1881, Senator Pendleton reintroduced his bill in the Senate. Senator Dawes of Massachusetts introduced another bill on January 24. Both bills were referred to the Committee on Civil Service and Retrenchment, of which Senators Pendleton and Dawes were members. The principal differences between the Dawes and Pendleton bills may be summarized as follows: (1) The Dawes bill provided no commission or authority having any general supervision of the examinations, the appointment of examining boards for the departments at Washington being left to the President and the choice of the boards for departments outside of Washington to the heads of departments. The Pendleton bill created a Civil Service Commission. (2) The Dawes bill contained no provisions against the continued enforcement of political assessments, which the Pendleton bill had. (3) The former had no provisions against

²⁹*Supra*, pp. 20-21, 24-25.

the continued coercions of elections by federal officials, which the Pendleton bill condemned. (4) Finally, the Dawes bill gave no discretion to the President to extend the scope of the merit system as experience should warrant, but made the law applicable to the departments at Washington and to all federal offices employing more than twenty persons.³⁰

In February, 1882, the Senate Committee on Civil Service and Retrenchment held a series of hearings for the consideration of the two bills, which involved a general survey of the whole civil service situation. Messrs. Curtis, Eaton, Burt, Graves, Wheeler, Pearson, and six other United States officials were invited to appear before the committee to make statements and answer inquiries. The reformers favored the Pendleton bill and it was favorably reported by the committee.³¹ Mr. Willis of Kentucky had introduced practically the same bill in the House of Representatives. The bill failed to reach a vote in either house.

Introduced again during the first week of the next session of Congress (1882), the Pendleton bill was discussed nearly every day until its passage on December 27. "The debate on this measure," says Fish, "was entirely unworthy of the occasion, hardly touching any of the serious considerations involved; and in this fact as well as in its subject-matter it was characteristic of nearly all congressional discussions of the civil service. The larger part of the time was taken up in making predictions as to the effect of the bill on the two parties, and in arguments based thereon."³² The vote in the Senate was 38 to 5, 33 being absent; in the House, where there was very little debate, the vote stood 155 for it and

³⁰*The Pendleton Bill and the Dawes Bill Compared by the Committee on Legislation of the Civil Service Reform Association*, New York, pp. 11-12 (1882); *Civil Service Record*, Vol. I, pp. 22-23, 27-32, 39-40 (1882).

³¹*Report from the Committee on Civil Service and Retrenchment*, 47th Cong., 1st sess., Senate Report No. 576, Appendix, pp. 5, 225 (1882).

³²Fish, *op. cit.*, pp. 218-221; H. C. Thomas, *The Return of the Democratic Party to Power in 1884*, pp. 93-98 (1919); *Civil Service Record*, Vol. II, pp. 58-64 (1883).

47 against it, with 87 not voting. In the Senate 13 Democrats voted for the bill and 5 against. Those failing to vote included 13 Republicans and 19 Democrats. The 155 affirmative votes in the House included 102 Republicans, 49 Democrats, and 4 Nationals. Against it there were 1 National, 39 Democrats, and 7 Republicans. Included among the 87 not voting were 43 Republicans and 41 Democrats.³³ The President approved the bill, which became law on January 16, 1883.³⁴

Dorman B. Eaton, of New York; John M. Gregory, of Illinois; and Leroy D. Thomas, of Ohio, were appointed by President Arthur as the first Civil Service Commissioners. These appointments met the approval of the reformers, and the new system made a good start.

The passage of the Pendleton Act was acclaimed with joy by the reformers. Editorially the *Record* said: "A breach has been made through the outer walls, and a way open into the inner citadel of the castle of irresponsible patronage; and the country is aroused to take advantage of this opening in a way it was not a few years ago, and is ready to follow up with a general attack all along the line at the proper time."³⁵ And it is not claiming too much to say that the principal credit for the act goes to the reformers, for they drafted the law and aroused public opinion to its support. As one student of this period says: "The passage of the civil service reform law is an excellent example of a reform forced on politicians against their will by the pressure of public opinion aroused by a few earnest advocates."³⁶

Encouraged by the success in Congress, the reformers turned to the states. A bill based upon the federal act was drafted by Edward M. Shepard and Everett P. Wheeler of

³³Thomas, *op. cit.*, p. 98.

³⁴22 Stat. at L. 403-407 (1883). In his annual address to the League, August 1, 1883, Mr. Curtis traced the daily progress of the reform bill from December 5 to January 5 and characterized the proceedings as the most "amusing and significant story in the history of American politics."

³⁵*Civil Service Record*, Vol. II, p. 57 (1883).

³⁶Thomas, *op. cit.*, p. 100.

the New York Association, and was introduced in the New York Legislature early in February, 1883. The bill provided for appointments to state offices under the merit system, and made it optional with the mayors of cities of over 50,000 population to prescribe rules for admission to the municipal service, except for the educational, police, fire, and health departments. Petitions in support of the bill were widely distributed, and many were forwarded to the Legislature. Representatives of the Association appeared before committee hearings in support of the bill. Mr. Wheeler assigns special credit for the passage of the bill to R. R. Bowker and E. M. Shepard, members respectively of the Brooklyn Young Men's Republican and Young Men's Democratic Clubs. Governor Cleveland had recommended the reform in his message to the Legislature in January, and approved the bill immediately upon its passage in May. He appointed as members of the first commission John Jay, of New York; Augustus Schoonmaker, of Ulster County; and Henry A. Richmond, of Buffalo. Silas W. Burt was appointed Chief Examiner. Rules were drawn up in December and the first report of the Commission was made to the Governor January 28, 1884. Immediately after the passage of the law the New York Association requested Mayor Edson of New York City and Mayor Low of Brooklyn to exercise the authority conferred upon them to prescribe rules for admission to the municipal services. Application was also made to Mayor Scoville of Buffalo by the local Association. These requests were favorably received and all three mayors issued rules regarding appointments to departments covered by the law. The operation of the new system proved so satisfactory that in 1884 the Legislature amended the Act of 1883, making the reform obligatory upon all the cities of the state, twenty-five in number, and the rules were extended to all city departments except the educational departments.³⁷

³⁷ Wheeler, *op. cit.*, pp. 281-284; *Report of the Executive Committee of the Civil Service Reform Association*, New York, 1883, p. 9; 1884, pp. 6-7; *Civil Service Record*, Vol. III, pp. 1-2 (1883); *Proceedings of the League*, 1884, pp. 23-25.

In his address to the annual meeting of the League in 1883 Mr. Curtis commented on the significance of the New York Act as follows:

This event is second only in importance to the passage of the reform bill by Congress. It was in the State of New York that under the council of appointment the spoils system was adopted nearly a century ago. It was the politicians of New York who gave it its first organized impulse. It was in response to Henry Clay's taunt at the New York system that a New York senator made the famous defense that to the victor belong the spoils of his enemy. It is in New York that the evils and the perils, the dishonor, the corruption, the degradation of the system have been most fully displayed. And it was in New York also that the first vigorous, resolute, and unquailing opposition to the evil system was organized. It was most fitting, therefore, that the chief sinners among the States should lead the van of reform, for the political reform that is possible in New York is practicable everywhere in the country.³⁸

It is also worthy of notice that Messrs. Pendleton and Willis, who introduced the civil service bills in Congress, were Democrats, and that both houses of the New York Legislature that passed the first state civil service law were largely Democratic, as well as the Governor who signed the bill. These facts are hard to reconcile with the fact that the movement for reform originated with the Republicans and that their party platform pledges had been on the whole more favorable to the reform than those of the Democratic Party. The truth is, as Mr. Curtis often stated, that neither party was distinctively and consistently a civil service reform party.

The next state to adopt a civil service law was Massachusetts in 1884. Mr. Lambert thus describes the movement in Massachusetts:

At a meeting of the Massachusetts League, in July, 1883, it was resolved that a committee of five should be appointed to report what specific legislation they would advise for introducing the reform in Massachusetts and its cities. The writer, as chairman of the executive committee, nominated Moorfield Story,

³⁸*Proceedings of the League*, 1883, pp. 10-11.

Leverett Saltonstall, Charles Theodore Russell, Richard H. Dana and Josiah Quincy.

After some months of deliberation and consultation with leaders of the reform in New York, these gentlemen prepared a bill which with some amendments and after a prolonged discussion, was passed by the Legislature.

A very important feature of this bill is the provision that the class of laborers in cities shall be brought under its operations.³⁹

Another feature of the bill, which made it in some respects superior to the New York Act, was the provision giving to the State Commission the entire control of the examinations for the city service, thereby insuring the local application of the law and a uniformity of procedure in the whole municipal service.

POLITICAL ASSESSMENTS

A phase of the spoils system which early drew the attack of the reformers was the practice of assessing office-holders for campaign purposes. Originating in the early days of the spoils system, it had become the practice of both parties in local, state, and national politics. To check this evil, Congress enacted in 1876 an act providing that:

... all executive officers or employees of the United States not appointed by the President, with the advice and consent of the Senate, are prohibited from requesting, giving to or receiving from, any other officer or employee of the Government, any money or property or other thing of value for political purposes....⁴⁰

President Hayes determined to enforce this law and on June 22, 1877, issued an executive order forbidding officers of the Government from taking part "in the management of political organizations, caucuses, conventions, or elec-

³⁹*Good Government*, Vol. XIII, p. 150 (1894); *Civil Service Record*, Vol. III, pp. 65-67, 68, 88 (1884); Vol. IV, pp. 4-5 (1884); *Proceedings of the League*, 1884, p. 16.

⁴⁰*Civil Service Record*, Vol. I, p. 21 (1882); 19 Stat. at L. 169 (1877).

tion campaigns. . . . No assessment for political purposes on officers or subordinates should be allowed.”⁴¹

Investigation of the question of political assessments by a special committee of the Senate in 1879 revealed that in the campaign for the congressional election of 1878, a series of three letters had been sent by the Republican Congressional Committee to every official and employee of the United States with an annual salary of \$1,000 or more, and contributors had been assured “that there will be no objection in any official quarter to such voluntary contribution.” It was testified that President Hayes had approved this statement. Office-holders contributed all but \$13,000 out of a total of \$106,000 raised by the Committee.⁴²

In 1881 General Newton Martin Curtis, special treasury agent of the United States Government, was elected treasurer of the Republican State Committee of New York, and in that capacity received from federal employees in the State of New York large sums of money, paid as a result of a request by letter for contributions by the Republican State Committee. The Civil Service Reform Association of New York considered this a flagrant violation of the statute of 1876, and on December 27, 1881, submitted the facts to the Secretary of the Treasury. That officer replied on February 4 that General Curtis’ employment would cease at the end of the month and that he was sending the papers to the United States Attorney for the Southern District of New York. Upon information furnished by the Association, General Curtis was indicted for violation of the statute of 1876, but the indictment was subsequently quashed on the ground of misnomer.⁴³ A new complaint was made by the Committee of the Association, and General Curtis was re-indicted, tried, and convicted in the Circuit Court of the United States for the Southern District of New York, and

⁴¹Wheeler, *op. cit.*, p. 266.

⁴²Thomas, *op. cit.*, pp. 83-84.

⁴³*Documents Relating to the Removal from Office of General N. M. Curtis and to His Indictment for Levying and Receiving Political Assessments* (Publications of the Civil Service Reform Association, New York, No. 6, 1882).

fined \$1,000. Motion for a new trial was heard before the full bench of three judges, but was denied, and judgment was entered July 20, 1882. The defendant sued out a writ of *habeas corpus* from the Chief Justice of the United States, and the case was heard by the Supreme Court, which gave an opinion December 18, 1882, unanimously upholding the constitutionality of the law.⁴⁴

Messrs. Everett P. Wheeler and Frederick W. Whitridge acted as counsel for the Civil Service Reform Association and assisted in all the proceedings in the prosecution of the charge against General Curtis, submitting briefs both in the Circuit and Supreme Courts.

As to the effects of the decision, the Executive Committee of the New York Association said:

The opinions in both Courts fully sustain the constitutional authority of Congress to legislate in reference to the Civil Service of the country. The result was most important in its bearings upon the assessments at that time being levied under the direction of the Republican Congressional Committee and other bodies, and its beneficial effect will undoubtedly be permanent.⁴⁵

On May 15, 1882, the Republican Congressional Committee, of which J. A. Hubbell was chairman and D. B. Henderson, secretary, sent a circular to all employees of the Government, soliciting a contribution of not less than 2 per cent of their annual salaries for use in the fall campaign. Similar circulars had been issued in 1878 and 1880. The circular stated that "under the circumstances in which the country finds itself placed, the Committee believes that you will esteem it both a privilege and a pleasure to make to its funds a contribution which it is hoped may not be less than —— dollars. The Committee is authorized to state that such voluntary contribution from persons employed in

⁴⁴Wheeler, *op. cit.*, pp. 266-271; *Proceedings of the League*, 1882, pp. 13-14; 1883, pp. 8-9; 106 U. S. Reports, 371 (1882); *Civil Service Record*, Vol. I, p. 21 (1882); Vol. II, pp. 15, 23, 65-67 (1882-1883).

⁴⁵*Report of the Executive Committee of the Civil Service Reform Association*, New York, 1883, p. 7.

the service of the United States will not be objected to in any official quarter."

The New York Civil Service Reform Association, on June 17, 1882, issued a counter-circular to federal employees warning them that the members of the committee were officers of the United States and that as office-holders they would be liable to punishment under the law of 1876, in case they subscribed. The League announced its intention of bringing the matter to the attention of the Attorney-General and prosecuting officers.

Chairman Hubbell wrote to Mr. Curtis, June 22, 1882, saying that the law was misstated in the League circular and that he was willing to join the League in requesting the President to ask an opinion of the Attorney-General or to join in any form of action in any tribunal which could give an immediate consideration of the point.

Mr. Curtis in his reply of June 25 declared that the contributions were not voluntary. Messrs. Wheeler and Whitridge, counsel for the New York Civil Service Reform Association, replied to Mr. Hubbell's letter of June 22, under date of June 24. They suggested a test case in the Circuit Court of the United States for Southern New York; they did not accept Mr. Hubbell's proposal to request the President to ask the opinion of the Attorney-General, but stated that they had requested the Attorney-General to issue instructions to the United States attorneys to prosecute offenses against the act of Congress.

In his reply to Mr. Curtis and counsel of the New York Association, on July 6, Mr. Hubbell defended the circular as asking only for a "voluntary contribution" and denied that there had been in the last sixteen years any removals from office for failure to contribute. He concluded by accusing his opponents of being allies of Southern bulldozers.

On July 12 Messrs. Wheeler and Whitridge again reminded Mr. Hubbell of his challenge of June 22 to test the soundness of the Association circular before the courts, which challenge had been accepted by them. But Mr. Hubbell never made a test case. In August a second circular was issued by the Congressional Committee more urgent

than the first. Attorney-General Brewster gave an opinion that members of Congress were not officers of the United States Government within the meaning of the act, and the League could not get an indictment against Hubbell.

Although failing to secure an indictment of Mr. Hubbell, the fight of the League and Association "attracted great public attention and made the processes of those engaged in the nefarious business of despoiling the officers and employees of the government widely notorious." The Republican Party was put on the defensive by the organized opposition of the reformers, "and the support it received from the public press encouraged many office-holders to refuse to contribute."⁴⁶

By 1884 the small group of earnest civil service reformers had wrought great accomplishments. Scattered local reform associations had been organized into a National League; public opinion had been educated to the necessity of reform in the public service; political parties and candidates for public office dared not ignore or openly oppose the issue; a National Civil Service Reform Act and two state laws, including municipal services, had been passed; good civil service commissions had been appointed; and a check had been given to the nefarious practice of political assessments. At no time in its history did the League have abler leaders or more influence.

ELECTION OF 1884

But much remained to be done. Under the title *The Work Still To Be Done By Civil Service Reform Associations* the New York Association issued a circular in June, 1883, in which this statement appeared:

Vigilant observation, also, of executive action, upon which reform so largely depends [must be maintained], and especially

⁴⁶*Civil Service Record*, Vol. II, pp. 9, 10-14, 21-22 (1882); *Report of the Executive Committee of the Civil Service Reform Association*, New York, 1883, p. 7; *Proceedings of the League*, 1882, pp. 14-20, 27-30; Wheeler, *op. cit.*, pp. 271-276; Thomas, *op. cit.*, pp. 84-87; *Republican Campaign Textbook*, 1882, pp. 92-114.

will such attention be demanded during the next Presidency, especially if the incumbent be of a different political party and subjected to the strain of jealousies, resentments, influences, imagined policy, and rapacious thirst for plunder, or for any reason loth to apply the new system to a larger range of offices than that now embraced by it.

The election of a President in 1884 favorable to civil service reform was vital to the reformers. Thomas says: "The friends of the reform realized that, in spite of platforms, the great majority of the politicians of both parties were hostile to it and that it was necessary, therefore, to elect a President who was really in sympathy with it. The Pendleton law was not mandatory upon the President, and although it was hardly probable that any President would be bold enough to disregard the law entirely, he could make it practically a dead letter by not extending it to other services or by appointing a commission not actively interested in it and not likely to enforce it faithfully. The attitude of the nominees was, then, all-important. No matter how strongly either party might endorse the reform in its platform, unless the candidate was believed to be sincerely in favor of it, the reformers would not support him."⁴⁷

Blaine, the Republican nominee, was unsatisfactory to the reformers, who had supported Edmunds at the Chicago Convention. The *Civil Service Record* said that the Republican Convention had "presented to the people of the country as its choice for the two highest offices in the gift of the people its two most conspicuous representatives of that sort of politics which it is the mission of the civil service reform to abolish.... By its nominations at Chicago, it has elevated to be its leaders and standard bearers two of the most notorious of those political 'robber barons', who, by the practice of an evil system of politics, brought the country to the danger line of demoralization and corruption, and the party which they managed to the verge of defeat." This paper denounced Blaine as the "evil genius

⁴⁷Thomas, *op. cit.*, p. 103.

of the Republican party," a "magnetic and seductive self-seeker," "a theatrical Secretary of State," and an "evil counsellor and dangerous Secretary."⁴⁸

The nomination of Grover Cleveland by the Democratic Convention at Chicago was pleasing to the reformers, for as the *Record* said, "Governor Cleveland [was] the Democrat who above all others by his character, record, and associations stood as the unmistakable representative of administrative reform." And it continued: "It does not seem to be going too far to say that the cause which we advocate—namely, reformed methods of administration and politics—has become the issue upon which the Presidential contest is to be waged."⁴⁹

In the bitter and exciting campaign which followed, the reformers divided: some, as Lodge, White, and Roosevelt, supported Blaine; others, as Curtis, Schurz, Beecher, Quincy, and Codman, launched the Independent movement in support of Cleveland, declaring that civil service reform was the most serious problem of the day.⁵⁰

Credit for the election of Cleveland was claimed by the Independents. The *Record* said:

... we believe that the Republican party, by nominating a candidate whose whole public career and political methods exemplified the evils which the civil service reform movement has sought to cure, lost the support of the larger part of the advocates of that reform, and that the Democratic party won to itself what the Republican party had lost, and thereby gained the victory, by selecting a candidate who, above all other public men of our times, had made himself the practical exponent of the civil service reform idea. Thus, in its moral significance as well as in its practical consequences, we believe the election of 1884 will come to be regarded as the culminating victory of those civil service reform Independents who in 1876 and 1880 barred the way to the presidential nomination against the present defeated candidate

⁴⁸*Civil Service Record*, Vol. IV, pp. 1-2 (1884).

⁴⁹*Ibid.*, pp. 9-10.

⁵⁰Thomas, *op. cit.*, pp. 197-205; *Civil Service Record*, Vol. IV, pp. 12-14 (1884).

and others of this type, and who in 1882 overturned Congress and the State of New York in the interests of their cause.⁵¹

In his address to the annual meeting of the League in 1885, Mr. Curtis declared that if Mr. Cleveland "had not been identified with reform he would not to-day be President. The vote which held the balance of power between the parties was the reform vote, and without that he could not have been elected."⁵²

This claim to credit for the defeat of Blaine is acknowledged by students of this period. Thomas says:

Foremost among these causes contributing to Blaine's defeat must be placed the revolt of the Independents. They claimed full credit at the time, and writers who had no sympathy for the movement and who have no use for independents in general have since paid tribute to their strength. They claimed to have polled 60,000 votes in New York, 20,000 in Ohio, 40,000 in Massachusetts, 5,000 in Connecticut, 15,000 in New Jersey, 10,000 in Indiana and 20,000 in Illinois. These estimates are undoubtedly generous, but the significant fact is that the Independents were strongest in the doubtful states where Blaine could least afford to lose votes. It is probable that a large number of Republicans would have supported Cleveland in any case, but the organized campaign of the Independents must have materially increased this number.⁵³

Fish also attributes Cleveland's success to the Mugwumps. "Grover Cleveland, the Democratic candidate, was regarded as the most thorough reformer, however; and his election was largely due to the support of those enthusiastic young Mugwumps who cared more for good government than for party allegiance, and who left the party of their fathers because they doubted the good faith of its leaders."⁵⁴

It would probably be overemphasizing the importance of the reformers to attribute Cleveland's election entirely to

⁵¹*Civil Service Record*, Vol. IV, p. 41 (1884).

⁵²*Proceedings of the League*, 1885, pp. 6-7.

⁵³Thomas, *op. cit.*, p. 229.

⁵⁴Fish, *op. cit.*, p. 222.

their efforts. There were other factors involved in Blaine's defeat—the "Rum, Romanism, and Rebellion" incident, the strength of the Prohibitionists, the defection of Conkling, and the conciliation of Tammany. But there is no doubt that the Independents contributed powerfully to that end.

Thus success seemed to crown the efforts of the reformers in the early period of reform. They had aroused and organized public opinion in support of the merit system; laws had been enacted covering parts of the federal service and the state and municipal services of New York and Massachusetts; a check had been given to the nefarious system of political assessments and the Supreme Court had declared the law of 1876 constitutional; and finally, the reform vote turned the tide in favor of reform candidates in the congressional election of 1882 and the presidential election of 1884. Such accomplishments in the legislative and judicial branches of the Government and at the polls might well encourage the members of the National Civil Service Reform League and its constituent associations to expect the extension and enforcement of the merit system by the administrative branch of the Government.

CHAPTER III

FROM CLEVELAND TO WILSON, 1885-1913

In drafting the Pendleton Law the Legislative Committee of the New York Civil Service Reform Association felt that the competitive system was such an innovation that it would be unwise to extend it to all branches of the public service at once. "We were well aware," says Mr. Everett P. Wheeler, a member of the Committee, "that to inaugurate it would be a task of great difficulty, and that if too much were undertaken at once, the whole system might break down of its own weight."¹ Hence the original law and rules applied to only some 14,000 positions out of a total of approximately 110,000. The extension of the rules to other parts of the civil service was left to the discretion of the President.

STRATEGY OF THE LEAGUE

These facts indicated what the strategy of the League in the following years would have to be. The first task of the League, as we have seen, was to procure legislation through public opinion and to bring a strong moral pressure to bear upon legislators. With the enactment of a national law, with power to extend the rules in the hands of the President, a different task confronted the League. The officers of the League had to maintain vigilant observation and constant watchfulness over each national administration, bending their efforts to discover evasions of the law and calling attention to them, to reduce unnecessary exemptions and exceptions to the competitive principle, to prevent attempts to weaken the laws and rules, to suggest and advocate extensions of the merit system throughout the public service, to study the operation of existing laws and rules, and to suggest improvements in the laws and rules and in their administration.

¹*Proceedings of the League*, 1906, pp. 125-126.

The true function of the League during this period was admirably stated by Mr. Schurz in his address to the annual meeting in 1900:

... it must incessantly preach its principles, diligently study and strive to perfect laws and rules and methods, vigilantly watch their enforcement, stoutly defend what is honest and right, boldly and belligerently denounce what is wrong or false, with fearless justice tell the truth and spare not, no matter whom it may please or displease, and thus with inflexible firmness uphold the true standard.²

While primarily engaged in this period in a watchful surveillance over the enforcement of civil service laws and rules by those in power, the League continued its missionary work to enlighten and stimulate public opinion on the objects of the merit system and to promote the enactment of proper civil service legislation. In particular, the League fought for the repeal of the Four Years' Law of 1820 and all similar statutes fixing the tenure of office.

In its dealings with the different national administrations in this period, some Republican and some Democratic, the leaders of the League emphasized the fact that the League was a non-partisan organization and that criticism of official acts could not be charged to partisan considerations. The duty of the League was to uphold the true standard of reform, and to point out all deviations from that standard, whether by Republican or Democratic administrations, with absolute impartiality. "This League," declared Mr. Curtis, in his annual address in 1886, "is the only organized and authentic national representative of the reform sentiment. I challenge any man to show that it has in any degree or at any time betrayed the trust voluntarily assumed by it, with the approval of the locally organized friends of reform, of honestly and adequately representing that sentiment, and [sic] its criticisms and demands upon political parties and public men. The League has pandered to no personal ambition, to no party purpose. It has been

²*Ibid.*, 1900, p. 14.

no man's instrument nor has it been the organ of any faction."³

In his address before the annual meeting of the League in 1894, Mr. Schurz said:

This League is essentially a non-partisan organization. Among its members are Republicans, Democrats, Independents, and, for aught I know, Populists, who cultivate whatever party affiliations they may choose with perfect freedom, and are united only in a common endeavor for one common object. In the pursuit of this object they judge and criticise the conduct of political parties and of Presidents, Department chiefs, and other public officers, only from one point of view—that of Civil Service Reform principles; and if this judgment is to be of any value, it must with entire impartiality and justice, without fear or favor, apply to one party and its leaders the same rule that it applies to the other.⁴

A brief review of the relations of the League with each of the national administrations in this period will show to what extent the strategy of the League was a success, and whether the claim of the League leaders that it was a non-partisan, impartial critic was justified.

A HISTORY OF THE LEAGUE UNDER SEVEN ADMINISTRATIONS

Cleveland's First Administration. In the election of 1884, as we have seen, the majority of the reformers supported Cleveland because of his better record and declarations on reform. The reformers claimed that their support threw the balance to Cleveland in the doubtful states of New York, Connecticut, New Jersey, and Indiana.⁵ After the election, on December 20, 1884, the Executive Committee of the League addressed a letter to the President-elect inviting a statement from him as to his views on reform. Cleveland replied on December 29, referring to his previous record and promises, and pledging an earnest effort to enforce the

³*Ibid.*, 1886, p. 8.

⁴*Ibid.*, 1894, p. 28.

⁵E. E. Sparks, *National Development, 1877-1885*, pp. 348-350 (1907).

law. He indicated that offensive partisanship would be a cause for removal in the unclassified service.⁶

Speaking at the annual meeting of the League, five months after the inauguration of President Cleveland, on the subject, *Civil Service Reform under the Present National Administration*, Mr. Curtis, while admitting that there had been violations of sound principles, serious mistakes and inconsistencies, unwise appointments, and equally unwise removals, concluded with this statement: "I think no sincere friend of the cause in which we are interested believes that its promise is less hopeful than it was at our last meeting a year ago; or that it has retrograded during the five months of a new administration which expire today."⁷

Complaints of partisan appointments and removals in the federal service led the Executive Committee on April 29, 1886, to create a committee of seven members to be appointed by the President, and including the President as chairman, to collect information:

First: Concerning the enforcement and operation of the Civil Service Law and the rules and regulations thereunder in the Government Departments at Washington and in the various Government offices in the country to which the said law applies.

Second: Concerning the principles and methods followed by the National Administration in making appointments and removals or suspensions.

Third: Concerning the progress of the reformed system of the Civil Service in State and Municipal governments.⁸

The committee was supposed to report to the annual meeting in 1886, but its final report was delayed until March 16, 1887.⁹ The committee considered that it had instructions to review the whole conduct of the administration in

⁶*Civil Service Record*, Vol. IV., pp. 63-64 (1885).

⁷*Proceedings of the League*, 1885, pp. 9, 22.

⁸*Minutes of the Executive Committee*, April 29, 1886, p. 2.

⁹*Report of the Special Committee of the National Civil Service Reform League upon the Present Condition of the Reform Movement and the Relation to It of the National, State and Municipal Administrations*, March 16, 1887.

regard to civil service reform. "This is a broad inquiry and our duty is plain. It is not to extol the administration, nor to excuse it, nor to apologize for it, but to take a reckoning. For this purpose we are neither partisans nor opponents of the administration. We are not to compare its action with that of other administrations, nor to reproach it with what has not been done, nor to anticipate its future action. We are not to elaborate an apology nor frame a plea, but simply to test its conduct by the standard of the views of which the League is the organized national representative, and to do this with the most candid and careful consideration of the situation and of the actual circumstances which surround executive action."¹⁰

Turning to the statistics of appointments and removals the committee found that in the period up to June 16, 1886, the removals in the classified departmental service, which included 5,650 persons, were nearly 6½ per cent and the new appointments about 8 per cent, the figures indicating "that the rules in general have been faithfully observed." Within the first sixteen months new appointments in the post offices amounted to a little more than 50 per cent. In the unclassified service of the departments the percentages of removals were large; in the State Department, changes in the foreign service were about 25 per cent; in the Department of Justice, 65 per cent; and in the Interior Department, 71 per cent up to October 1, 1886.¹¹

In concluding its report the committee said:

Tried by the standard of absolute fidelity to the reform as it is understood by this League, it is not to be denied that this administration has left much to be desired. But upon the showing of this report which has neither concealed nor extenuated the most injurious facts, if our estimate of the situation be just, the administration under enormous disadvantages and perplexities has accomplished much for the reform of the civil service. Whatever just disappointment may have been felt, it is undeniable that the old "spoils system" has been seriously shaken. Notwithstanding evident partisan pressure, the administration has prac-

¹⁰*Ibid.*, p. 8.

¹¹*Ibid.*, pp. 20, 25, 28-29.

tically demonstrated that a clean partisan sweep of the civil service is not demanded by the intelligence of the country and is not necessary for honest, efficient and satisfactory government. This alone is an immeasurable benefit to reform.¹²

But the final judgment of the League upon Cleveland's Administration was more severe. A resolution adopted at the annual meeting in May, 1888, declared:

The League reaffirms its declaration of last year that the change in the unclassified service is so great as to forecast its practically complete partisan reconstruction by the close of the administration. It regards this fact as the loss of a great opportunity by the President, and as a serious public misfortune. Neither the welfare of the service nor any public advantage whatever has been shown to demand so general a change and it can be attributed only to a partisan pressure for wholly partisan objects which the President has unfortunately not resisted. These general partisan changes in the unclassified service, the disregard of the notorious and flagrant defiance of the executive circular of July 14th, 1886, warning certain officers of the government against pernicious activity in politics, and the President's letter of November 2d, 1887, advocating the choice of a particular candidate in a municipal election, seriously discredit the cause of reform, and merit the public condemnation which they have received.¹³

President Cleveland resented the criticisms of the reformers, feeling that they were impatient, unappreciative of the difficulties of his position, and likely to injure the cause by attacks upon the administration. In a letter to Dorman B. Eaton on September 11, 1885, he indicated his resentment toward some of his critics.¹⁴ In his annual message to Congress, December 6, 1886, he spoke of the "misguided zeal of impracticable friends."¹⁵ Returning to the subject again in his special message of July 23, 1888, he said:

¹²*Ibid.*, pp. 38-39.

¹³*Proceedings of the League*, 1888, pp. 31-32.

¹⁴*Infra*, pp. 102-103.

¹⁵J. D. Richardson, *A Compilation of the Messages and Papers of the Presidents*, 1789-1897, Vol. VIII, p. 528 (1898).

The path of civil-service reform has not at all times been pleasant nor easy. The scope and purpose of the reform have been much misapprehended; and this has not only given rise to strong opposition, but has led to its invocation by its friends to compass objects not in the least related to it. . . . Those who do not understand its meaning either mistrust it or, when disappointed because in its present stage it is not applied to every real or imaginary ill, accuse those charged with its enforcement with faithlessness to civil-service reform.¹⁶

Tested by the League's standard of reform, however, all that can be said in favor of the Cleveland Administration is that the scope of the classified service was somewhat enlarged and that the rules and regulations had been revised and improved.

Harrison's Administration. In the campaign of 1888 the League as an organization took no official part, but its members supported the candidate of their choice. The reformers of the East, Curtis, Schurz, Eaton, and many others, supported Cleveland, while the Indiana reformers, including Foulke and Swift, generally supported Harrison. The latter was elected, the platform plank on civil service drawn by Mr. Curtis declaring for the fullest extension of the reform system.¹⁷

After his defeat in 1888 President Cleveland, by executive order of January 4, 1889, had included the railway mail service in the competitive system, the order to take effect on March 15. But the Civil Service Commission was unable in so short a time to make the classification; so President Harrison postponed the execution of the order until May 1. In the meantime Democrats were removed as rapidly as possible to make places for Republicans, and the partisan reconstruction of the service was almost complete by the time that the order went into effect.¹⁸

¹⁶*Ibid.*, p. 618.

¹⁷K. H. Porter, *National Party Platforms*, p. 152 (1924).

¹⁸W. D. Foulke, *Fighting the Spoilsman*, pp. 50-51 (1919); United States Civil Service Commission, *Annual Report*, Vol. VI, pp. 36-40 (1889).

A number of bad appointments and removals at the beginning of the administration alienated the reformers. John Wanamaker, of Philadelphia, who had been active in raising funds for the Republican campaign, was appointed Postmaster-General and J. S. Clarkson, a spoilsman, was appointed First Assistant Postmaster-General. Mr. H. G. Pearson, a Republican who had been reappointed by Mr. Cleveland as Postmaster of New York, was removed, as well as Silas Burt as Surveyor of the Port in New York, and Leverett Saltonstall as Collector of Customs at Boston. All of these men had made records in the impartial administration of the merit law, and their removal gave great dissatisfaction to the reformers. One appointment, however, delighted the reformers—that of Theodore Roosevelt on the United States Civil Service Commission.¹⁹

Early in his career Roosevelt became a member of the New York Association (and consequently of the League) and was active in both organizations. He was a strong supporter in the New York Legislature of the bill proposed by the New York Association in 1883, and contributed greatly to its passage. The next year he supported a number of measures to extend the state law to cities and to other municipal departments. He supported Blaine in 1884 and Harrison in 1888. On May 7, 1889, he was appointed Civil Service Commissioner and was reappointed by President Cleveland, serving until May 5, 1895. His vigorous enforcement of the law and regulations was the delight of the reformers and the despair of the spoilsman. During his subsequent public career as President of the Board of Police Commissioners of New York City, as Assistant Secretary of the Navy, as Governor of New York, and as President of the United States, he did more for the practical enforcement of the civil service law than any other single individual. His interest in reform never ceased. In 1916 he became a Vice-President of the League, a position which he held at the time of his death in 1919.²⁰

¹⁹Foulke, *op. cit.*, pp. 49-52.

²⁰Foulke, *op. cit.*, chaps. 11-14.

On December 18, 1889, the Executive Committee authorized the appointment of an investigating committee of five members to report on the condition of the civil service under President Harrison. On this committee there were appointed Messrs. William Dudley Foulke, Sherman S. Rogers, Charles J. Bonaparte, Richard H. Dana, and Wayne MacVeagh.²¹ The results of the investigation were embodied in six reports dealing with the following topics: Congressional Patronage, the Patent Office, Presidential Post-masters, Removals upon Secret Charges, Political Changes in Post Offices, and the Census Bureau.

In the first report on *Congressmen and the Offices*, published on April 10, 1890, the committee made known the results of a questionnaire sent to the Republican members of the House of Representatives. From the replies received it appeared that the average number of appointments depending upon each Congressman was about 250; that the number of applications for positions made during the past year was over 1,700 for each member, and that more than one-third of the time of Congressmen was spent in the distribution of offices. The committee condemned the system under which this was possible, pointing out its evil effects, the neglect of congressional business and legislation, violation of the separation of powers, impairment of the efficiency of the service by making the executive less responsible for his appointments, weakening of the party in power by disappointing office-seekers, secrecy of the patronage system, and distribution of offices in many congressional districts by defeated candidates for Congress belonging to the party in power. "The remedy lies in the adoption of general laws which shall remove these offices from Congressional interference."²²

The second report dealt with the Patent Office. Under the first commissioner appointed by President Cleveland, the office was riddled with politics. Some improvement followed when this commissioner was transferred and a new

²¹Minutes of the Executive Committee, December 18, 1889, pp. 1-4.

²²Civil Service Record, Vol. IX, pp. 127-130 (1890).

one appointed. "The beginning of the present administration found this whole bureau in the control of spoils-men, so far as the Civil Service Law would allow it to be." The present commissioner was appointed by President Harrison independent of political influence and there had been a decided improvement in the efficiency of the office since his appointment.²³

Three reports were devoted to Presidential Postmasters. From the reports of the Postmaster-General it appeared that over 64 per cent of the presidential postmasters had been changed during the first year of the administration. The Department insisted, however, that only about 23 per cent of the changes had been made by removal, the others having been due to death, resignation, or expiration of term. The committee decided to confine its attention to the cases of resignations and removals, and to ascertain whether the resignations were voluntary or were forced for political reasons and whether the removals were made upon secret charges or not. Letters were addressed to every postmaster, removed or resigned, asking for this information. In the case of resignations 143 replies were received; in 95 cases the resignations were voluntary and in 48 cases they were involuntary, and due to political pressure. After citing many cases the committee said: "The conclusion is obvious that many of these so-called resignations were not such in fact, but that the changes thus made were, in spirit and essence, removals for political purposes." Out of 356 cases of removal, it was shown that in only 47 cases was the cause of removal given to the man removed, 10 cases were disputed, and in the remaining 299 no cause for removal was given. The committee denounced the system of removals upon secret charges, as "inquisitorial in its character, and totally inconsistent with republican institutions and with our present civilization," and as encouraging "falsehood and slander, which are thus protected by the veil of official secrecy," and declared that the confiscation of the office for the benefit of the informer completed the injustice,

²³*Ibid.*, Vol. X, pp. 6-8 (1890).

and that no efficient civil service could be procured until such a system was utterly overthrown. Finally, in regard to the politics of the postmasters removed and those appointed, out of 437 cases, the postmaster removed or resigned was a Democrat in 427 cases; in 513 cases of new appointees, 510 were Republicans. Most of the new appointees had been active in party work for the Republican Party.²⁴

The sixth and final report of the committee dealt with their investigation of the taking of the census of 1890. After presenting many instances of inaccuracies and omissions, the report concluded:

Your committee consider that the following propositions have been established by the results of their inquiries:

1. That the refusal to apply the civil service reform system of open non-partisan, competitive examinations in appointments to the clerical force of the Census Bureau was violation by the President of a promise contained in the Republican platform in 1888, and indorsed in his letter of acceptance.

2. That by the appointment of enumerators on political grounds, in open violation of Sect. 5 of the Census Act, great numbers of incompetent men have been engaged in taking the census, and that in many places attempts have been made to use official positions for the benefit of the party in power.

3. That while in some places the results of the work appear to be free from partisan color and to be accurately and well done, yet in many places the work has been carelessly and badly done, and is open to the suspicion that partisan considerations have not been absent, and that finally there is a widespread distrust of the accuracy of the census, which greatly impairs its value to the country, and which is caused in great measure by the fact that the Census Bureau has been conducted upon the spoils system.²⁵

President Harrison's Administration did not pass, however, without some contributions to the cause of civil service reform. He appointed an admirable Civil Service Commission which, through its honest enforcement of the law,

²⁴*Ibid.*, Vol. X, pp. 50-57, 63-66 (1890); Foulke, *op. cit.*, pp. 60-64.

²⁵*Civil Service Record*, Vol. XI, pp. 41-46 (1891); Foulke, *op. cit.*, pp. 64-72.

stimulated a wholesome respect in official circles. The President extended the competitive system to about seven hundred places in the Indian Service and inaugurated the system of keeping efficiency records for use in making promotions. The Secretary of the Navy placed the entire labor system of the Navy Yards under the reform rules, and stopped the practice of employing extra men in the Navy Yards sixty days before an election. After his defeat the President brought into the classified service all the clerks and carriers of the free delivery post offices.²⁶

The final resolution of the League upon the civil service record of the Harrison Administration was critical. At the annual meeting in 1892 the Resolutions Committee, after enumerating the contributions of the administration to reform, continued:

These are all measures of reform which the League recognizes with pleasure and warmly commends. But with these exceptions the administration has done nothing to fulfill the pledges of extending the reformed system to all grades of the service to which it is applicable; the spirit of the reform has not been observed in all or in many executive appointments, and no effort has been made to repeal all laws at variance with the objects of reform. The post-office service, including the employees of 60,000 post-offices, the Custom-Houses and other executive offices, with the exception of the places within the classified system, have been ravaged by party removals; political assessments, although happily greatly restricted by law and public opinion, have not been officially restrained; the power of patronage has been boldly exercised by the administration in factional quarrels, as in New York, and the earnest recommendation of the Civil Service Commission for the removal of employees who have violated the civil service laws, as in Baltimore, have been wholly disregarded by the President. Much has been accomplished for reform by the force of public opinion, by the fidelity of the Civil Service Commission, and by the action of the Secretary of the Navy during this administration; but the solemn promises of the Republican platform of 1888 have been broken, the voluntary

²⁶Foulke, *op. cit.*, pp. 86-90; C. R. Fish, *The Civil Service and the Patronage*, pp. 223-225 (1905); United States Civil Service Commission, *Annual Report*, Vol. IX, pp. 41-44 (1893); Vol. X, pp. 58-61 (1894).

pledges of the President are unfulfilled, and the claim of the Republican party, however strong may be the desire of individual Republicans, to be distinctively the party of civil service reform, is not sustained by the course of the administration, and against this gross breach of plighted faith with the people of the United States the National Civil Service Reform League earnestly protests.²⁷

Cleveland's Second Administration. In the election of 1892 many of the reformers, including Schurz and Foulke, supported Cleveland, because of their dissatisfaction with the record of the Harrison Administration and disgust at the manner of Harrison's nomination. In comparing the declarations of the candidates on reform, *Good Government* found the greater merit in Cleveland's remarks.²⁸ *The Minutes of the Executive Committee* of October 7, 1892, record: "Some discussion was had regarding the expediency of asking at this time from the candidates for the Presidency, some specific expression of their views in regard to reform, but it was not generally thought that much could thereby be gained."²⁹

During his second term President Cleveland compensated in large part by his contributions to reform for the failures of his first term. There was criticism, to be sure. Some of his heads of departments were unfortunate selections. The classification of free delivery offices was treated in the same way that the railway mail service had been handled under Harrison. The bestowal of diplomatic posts upon large contributors to the campaign fund, particularly the "Van Alen case," brought forth resolutions of protest from the League.³⁰

But otherwise there was much to praise. Postmaster-General Bissell put an end to the practice of removal upon secret charges of carriers in free delivery offices by issuing an order providing that they should be informed of charges

²⁷*Proceedings of the League*, 1892, pp. 42-43.

²⁸Vol. XII, pp. 27, 39 (1892).

²⁹P. 3.

³⁰Foulke, *op. cit.*, pp. 94-103, 306-310.

made against them and be afforded an opportunity for written explanation or defense before removal. President Cleveland retained upon the Civil Service Commission Theodore Roosevelt and appointed to a vacancy John R. Proctor of Kentucky, a devoted friend of the merit system.³¹ *0.2 v. 1*

The most valuable contributions to reform made by the administration were the executive orders extending the scope of the classified service. Beginning with the President's order of May 11, 1894, order after order was issued, culminating in the order of May 6, 1896, extending the classified service to include practically all of the executive service throughout the United States. These extensions, said Mr. Foulke, "formed the most valuable and splendid services yet rendered to the merit system by any president."³²

Very different was the resolution of the League adopted in 1896 from that of 1892. At the annual meeting of the League in 1896, the Report of the Resolutions Committee said:

The League heartily congratulates the country on the truly remarkable progress of the reform under the second administration of President Cleveland, and especially during the past year, a progress which can be best appreciated if we remember that less than 15,000 positions were included in the original classification under President Arthur, and that in the ten years following, only some 28,000 had been added, while under this administration the whole number therefore [sic] included has very nearly been doubled, many thousands being added by the single order of May 6, 1896. So that now, while some 90,000 positions are embraced in the classified service, there is left without the protection thus afforded against the abuses of the spoils system, besides the 70,000 postmasters, only a small fraction of the whole executive Federal Service, consisting of about 1,000 positions subject to confirmation by the Senate, about 8,600 laborers not yet included in the registration system, some 2,000 Indians employed as policemen or in other capacities on the Reservations, about 6,000 positions with very small salaries, mostly under \$300 a

³¹*Ibid.*, pp. 99, 104.

³²*Ibid.*, pp. 104-105; Fish, *op. cit.*, p. 225; United States Civil Service Commission, *Annual Report*, Vol. XI, pp. 143-146 (1895); Vol. XII, p. 10 (1897); Vol. XIII, p. 15 (1897).

year, and 781 offices specially exempted from the rules, being for most part those of Assistant Postmasters. For this great achievement, advancing as it does the fundamental principles of free government, President Cleveland deserves the sincere and heartfelt thanks of all good citizens.³³

McKinley's Administration. In 1896 the Republican platform promised that the civil service law would be "thoroughly and heartily, and honestly enforced, and extended wherever practicable." McKinley, in his letter of acceptance, had promised that his party would seek to improve the civil service. The Democratic platform opposed "life tenure in the public service" and their candidate, Mr. Bryan, in his speeches, attacked the life tenure which was being established at Washington. Abandoning its traditional policy of not advocating or opposing as an organization any candidate for the Presidency, the League, through its Executive Committee, on October 15, 1896, issued an address to the voters replying to the attacks of the Democratic platform and candidate.³⁴

McKinley was elected and immediately after his inauguration great pressure was brought to bear to persuade the President to withdraw many of the places classified by President Cleveland. It was argued that Cleveland had acted unfairly in classifying so many positions after they had been filled with Democrats.

The danger of a backward step was seen by the League and in May, 1897, an investigating committee was appointed with Mr. William Dudley Foulke as chairman. Mr. Foulke had interviews with bureau chiefs and department heads who were dissatisfied with the situation, and the committee had several conferences with the President. While the President promised to uphold and extend the merit system and resisted the pressure for a considerable time, the administration of the law was being broken down in many of the executive departments, particularly in the Treasury, Justice, Interior, and Post Office Departments.

³³*Proceedings of the League*, 1896, pp. 39-40.

³⁴*Good Government*, Vol. XV, p. 130 (1896).

Congress in 1898 exempted from classification all clerkships and other positions to be employed for war emergency purposes, although the Civil Service Commission was prepared to conduct the examinations. The next session of Congress passed the Census bill with a provision that the force of clerks and statisticians should be appointed by the Director after such examination as he should prescribe and without the coöperation of the Civil Service Commission. Prior to the passage of the Census bill the League's special Committee on the Census had published a report showing the unfortunate experience of the last census when clerks were appointed under the spoils system. The report stressed the increased extravagance of the Bureau, the demoralization of the force, the worthlessness of the census, and the lack of public confidence in its accuracy and impartiality.³⁵

The attitude of Congress, the abuses of the law by the executive departments, and the continued persistent rumor that the President was going to issue an order excepting certain important classes of offices from the classified system, led the General and Executive Committees of the League on October 28, 1898, to send a letter to the President, in which they said: "The League submits for your consideration, the certainty that such changes, whatever their motive, and however plausibly they may be explained by those by whom they are suggested, will be greeted alike by the friends and enemies of the merit system as a step backward—a step the more significant because it will be the first step backward avowedly taken by the Executive branch of the government since the Civil Service law took effect."³⁶

At the annual meeting of the League in 1898, the President of the League, in summing up the present situation, said that the national administration had failed to redeem its platform pledge and that administrative abuses had nullified the spirit and intent of the law. A resolution

³⁵Foulke, *op. cit.*, pp. 76, 110-112; *Proceedings of the League*, 1898, pp. 114-123.

³⁶*Good Government*, Vol. XVI, p. 114 (1898).

protested again against the rumored "step backward." At the same meeting a special investigating committee was appointed to report on the progress of civil service reform in the federal service.³⁷

Finally, on May 29, 1899, the long expected order of President McKinley was issued. It withdrew 3,693 positions from the class of positions filled through competitive examination and transferred 6,416 positions in the War Department, previously filled through a competitive registration system, to a system to be established by the Secretary of War. Besides these exceptions changes were made in the rules which were designed to weaken the administration of the civil service law.³⁸ On June 5, 1899, the League issued a statement on the scope and effect of the President's order. This statement reviewed the past attitude of the administration on civil service reform and declared that the President's order was "a backward step of the most pronounced character."

It must be said, though with profound regret, that the Civil Service law as it stood at the date of the Convention and at the time of Mr. McKinley's election, has not been "thoroughly and honestly enforced"; that conspicuous opportunities that have been offered for its extension "where practicable" have been rejected; and that finally, by the personal action of the President steps are taken that undo much of the progress made in the past, and introduce a spirit into the service the influence of which can hardly fail to produce general demoralization.³⁹

Secretary of the Treasury Gage attempted to defend the President and entered into a correspondence with Mr. McAneny, Secretary of the League. "The secretary of the League undoubtedly had the best of the controversy, as a controversy," says Fish.⁴⁰

³⁷*Proceedings of the League*, 1898, pp. 30, 34, 39.

³⁸United States Civil Service Commission, *Annual Report*, Vol. XVI, pp. 21-22, 50-68 (1900).

³⁹*Good Government*, Vol. XVII, pp. 2-4 (1899).

⁴⁰*Ibid.*, Vol. XVII, pp. 4-12, 21-27 (1899); Fish, *op. cit.*, p. 227.

The presidential campaign of 1900 found the civil service reformers divided in their opinions. McKinley and Bryan were the opposing candidates, the latter running on a platform which reaffirmed and endorsed the declaration of 1896 against civil service reform. The leading issue was anti-imperialism. Some reformers, who were opposed to the imperialistic policy of the Republican Party, supported Mr. Bryan in spite of his unsatisfactory attitude toward reform. Many felt that McKinley had broken his promises to uphold and extend the competitive system. Carl Schurz, President of the League, was such a strong opponent of imperialism that he supported Bryan. Believing that his support of Bryan and his party, who were hostile to the merit system, might involve the League in an embarrassing situation, he submitted his resignation on September 22, 1900, which was reluctantly accepted by the General and Executive Committees of the League. Mr. Foulke and others "believed that there was far less to fear from the Republican party led by McKinley and Roosevelt than from the Democratic party with Bryan and Stevenson."⁴¹

At the annual meeting of the League in December, 1900, an abstract of the report of the investigating committee appointed in 1898, was presented. The report covered the condition of the civil service under the present national administration, a review, revealing to the committee "a very unfortunate situation."⁴² In 1901 another investigating committee was appointed, with Mr. Foulke as chairman. This committee prepared and published nine reports on various alleged violations and abuses under the civil service law. Mr. Foulke says: "We had also collected a mass of information relative to the results of his unfortunate order of May, 1899, as to the work of the Census and other matters when suddenly the tragedy at Buffalo and the accession of Mr. Roosevelt to the presidency completely changed the aspect of affairs."⁴³

⁴¹Foulke, *op. cit.*, pp. 125-126.

⁴²*Proceedings of the League*, 1900, pp. 28-36.

⁴³Foulke, *op. cit.*, chap. 10; *Proceedings of the League*, 1901, pp. 29-32.

McKinley did make, however, some distinct contributions to reform. On July 27, 1897, the President issued an executive order directing that no removal should be made from any position subject to competitive examination except for just cause and upon written charges filed with the head of the department or other appointing officer, and of which the accused should have full notice and an opportunity to make defense.⁴⁴ The League had long been campaigning for such a rule as a means of putting an end to the vicious system of removals upon secret charges.⁴⁵ The President also was responsible for the establishment by the Philippine Commission of a civil service system applying to most of the executive positions in the islands.⁴⁶

Roosevelt's Administrations. So far in the period under consideration no President has held office for two consecutive terms and none has succeeded a President of his own party. President Roosevelt was fortunate in following a President of his own party, when the demand for spoils was perhaps not so great. Furthermore, Mr. Roosevelt, better than any other President, knew the details of the civil service law and regulations through his experiences of six years as a member of the United States Civil Service Commission. Friends of the reform, then, expected much of a reform President, and they were not disappointed.

Two prominent civil service reformers were given important posts in President Roosevelt's Administration. The appointment of Mr. Charles J. Bonaparte as Secretary of the Navy and then as Attorney-General has been mentioned.⁴⁷ Another appointment which greatly pleased the League and which gave it an official part in the administration of the civil service law was that of Mr. William Dudley Foulke as a member of the Civil Service Commission. Mr. Foulke had been long a consistent and prominent reformer.

⁴⁴*Good Government*, Vol. XVI, p. 93 (1897); United States Civil Service Commission, *Annual Report*, Vol. XIV, p. 24 (1898).

⁴⁵*Infra*, pp. 206-208.

⁴⁶Foulke, *op. cit.*, p. 123; United States Civil Service Commission, *Annual Report*, Vol. XVII, pp. 80, 85-89 (1901).

⁴⁷*Supra*, p. 17.

In the early 'eighties he entered the fight against political corruption in his own state of Indiana. He joined the League in 1885 and in the same year helped to organize the Indiana Civil Service Reform Association. He became a member of the General Committee of the League in 1887 and has taken a leading part in its affairs since that time. As chairman of numerous investigating committees of the League he has fearlessly exposed corruption and maladministration in public office. As United States Civil Service Commissioner he had a prominent part in translating into practice the ideals of the reformers. From the time of Grant he has known personally every prominent advocate of civil service reform, and he has given us the best account of the activities of the League from its early days down to the present time.⁴⁸ He links up the past and the present in civil service reform. He served as President of the League from 1923 to 1924 and has been a Vice-President of the organization since 1924. More will be said of his work for reform in the pages which follow.

Mr. Foulke has given us an extensive account of the reforms of the Roosevelt Administration.⁴⁹ He divides Roosevelt's contributions to reform into three classes: extensions of the competitive system, changes in the rules, and improved efficiency in the execution of the law.

When Roosevelt became President in 1901 the classified service included 108,967 out of an entire service of 235,766. By December, 1908, the classified service had grown to around 220,000, out of a total civil service of 352,104. He came into office with only 46.2 per cent of the federal civil service classified and left it with 66 per cent in the competitive service. Among the many important extensions may be mentioned the following: the field service of the War Department, the Rural Free Delivery Service, Forestry Service, Spanish War employees, part of the Isthmian Canal Service, deputy collectors, deputy naval officers and cashiers,

⁴⁸W. D. Foulke, *Fighting the Spoilsman* (1919).

⁴⁹Foulke, *op. cit.*, chaps. 11-14; W. D. Foulke, *Roosevelt and the Spoilsman* (1925).

employees of the permanent census office, Indian agents, Cuban employees, and fourth-class postmasters in fourteen states. In addition, the consular service was greatly improved, the labor service was made competitive through a system of registration, and the tenure of fourth-class postmasters was fixed during good behavior.⁵⁰

Regarding the improvements made through changes in the rules, Mr. Foulke says:

But even more important than the extensions of the classified lists were the changes made in the rules for the purpose of stopping leaks and irregular appointments and securing the stricter operation of the law. These changes enabled the Commission better to enforce the provisions of the act requiring the apportionment of appointments among the different States on the basis of population; gave it power to procure testimony from employees in its investigations; to require the withholding of salaries from persons holding office in violation of the law; to stop temporary appointments of persons outside the eligible lists when eligibles were available; to require examinations as well as six months' active service for transfers to new positions from those who had entered the service by mere classification of the offices they were holding; to prevent reinstatements for the purpose of immediate transfer to other places; to limit transfers to cases when the duties of the two positions were similar; to guard against reinstatements after dismissal for cause, and against the assignment of laborers to classified work. They prevented promotions through political influence; restricted partisan activity as well as lobbying in Congress by employees, and in other ways strengthened the competitive system.⁵¹

President Roosevelt also enforced the civil service law and rules strictly and impartially. "Up to this time," says Mr. Foulke, "the Civil Service Act had been largely regarded as a theoretical statute to be enforced only in cases where it was politically convenient and desirable. It was not until Mr. Roosevelt's administration that offenders were actually taken by the nape of the neck and ejected from the

⁵⁰*Proceedings of the League*, 1908, pp. 74-76; W. D. Foulke, *Fighting the Spoilsman*, pp. 162-168, 211-212 (1919); United States Civil Service Commission, *Annual Report*, Vol. XXV, pp. 28, 160-162 (1909).

⁵¹*Fighting the Spoilsman*, p. 168 (1919).

public service for violating this law." As a result of investigations of alleged abuses and a vigorous policy of enforcement by the Commission, backed by the President, department heads realized that the law was going to be enforced and violations became fewer.⁵²

But the reform administration of President Roosevelt did not escape without some criticism from the League. If anything, the standard applied to this administration was even higher than that for other administrations, because of the greater expectations of reform. Several appointments of the President evoked criticisms from the reformers—that of Henry C. Payne as Postmaster-General, and that of James S. Clarkson as Surveyor of the Port of New York.⁵³ President Roosevelt's modification of the rule relating to the removal of employees in the classified service in 1905 did not find favor with the League.⁵⁴

One matter especially drew the criticism of the reformers, the practice of making special exceptions and appointing particular individuals without examination. During Roosevelt's Administrations the number of these special exceptions steadily increased—in 1901 there were 3; 12 in 1902; 43 in 1903; 39 in 1904; 70 in 1905; 71 in 1906; and 78 in 1907.⁵⁵ At the annual meeting of the League in 1904 Carl Schurz criticised the practice of making special exceptions as one that would "fatally weaken the confidence of the people in the impartial administration of that system, and thus immensely hurt the cause of civil service reform in public opinion." Mr. Nelson S. Spencer read a paper on *Appointments Without Examination Under Special Exceptions to the Rules*, in which he said: "The logical consequence of a continuance of the present practice is the restoration of the condition of affairs as they existed prior to the passage of the Act. . . . The whole system becomes the subject of just suspicion. Again let us appeal from Theodore

⁵²*Ibid.*, pp. 184-188.

⁵³W. D. Foulke, *Roosevelt and the Spoilsman*, pp. 56-58 (1925); *Good Government*, Vol. XIX, p. 70 (1902).

⁵⁴*Infra*, p. 209.

⁵⁵*Proceedings of the League*, 1908, p. 79.

Roosevelt, President, to Theodore Roosevelt, Commissioner." Mr. Foulke defended the system, arguing that it was better to except the man than to except the position.⁵⁶ The League, however, did not change its view of the practice, the resolution at the annual meeting of 1906 declaring:

The League expresses again its firm belief that the granting by executive orders of special exceptions of particular individuals from the operation of the Civil Service Act and Rules is open to grave objection. However appropriate or well considered may be each individual case, the fact that an exception is made leads to popular error in regard to the enforcement of the rules and tends to injure the good repute of the administration. It would be far better if a rule were made and properly guarded against abuse which would cover all such cases as have merit. Exceptions if governed by such a rule would not have the unfortunate appearance of being arbitrary.⁵⁷

In the election of 1904 the Democratic candidate, Judge Parker, in his letter of acceptance, said that the Democratic Party stood committed to the principle of civil service reform and demanded its just and impartial enforcement.⁵⁸ Mr. Foulke supported Roosevelt, but Carl Schurz, who was a strong anti-imperialist, supported Parker.⁵⁹ In 1908 *Good Government* reviewed the platforms and the records of the candidates on reform.⁶⁰ During the campaign of 1908 there were frequent charges that President Roosevelt was coercing his office-holders and that he was using the federal patronage to secure Taft's nomination. The League was called upon to investigate and a special committee on the political activity of office-holders was appointed. The committee reported after the election that the charges had been investigated, but there was no evidence to sustain them.⁶¹

⁵⁶*Ibid.*, 1904, pp. 87-95, 117-131.

⁵⁷*Ibid.*, 1906, pp. 74-75.

⁵⁸*Good Government*, Vol. XXI, pp. 145-146 (1904).

⁵⁹W. D. Foulke, *Fighting the Spoilsman*, pp. 199-201 (1919); Carl Schurz, *Reminiscences*, Vol. III, p. 449 (1908).

⁶⁰*Good Government*, Vol. XXV, pp. 53-54, 85-86, 90 (1908).

⁶¹*Ibid.*, Vol. XXVI, pp. 46-53 (1909); W. D. Foulke, *Fighting the Spoilsman*, pp. 207-211 (1919).

Taft's Administration. The League counted upon the sympathy and support of President Taft. He had been President of the Cincinnati Civil Service Reform Association, and while he was Governor of the Philippines a civil service law was secured. And by his actions as President, Mr. Taft proved that he was a staunch friend of the merit system. On September 30, 1910, by executive order, he placed in the classified service assistant postmasters in post offices of the first and second classes and clerks of the non-free delivery post offices of the same classes—3,623 places in all.⁶² In subsequent speeches and messages to Congress he advocated the extension of the merit system to postmasters of the first, second, and third classes, collectors of internal revenue, collectors of customs, surveyors of customs, and appraisers. In short, the President advocated the classification of all purely administrative officials, excepting only the policy determining officers and their immediate assistants. This would include administrative officials whose appointments now require the advice and consent of the Senate. The President also recommended to Congress the enactment of a law extending the merit system to the diplomatic and consular services.⁶³

In August, 1912, President Taft vetoed the executive, legislative, and judicial appropriation bill which contained a rider limiting to seven years the tenure of a large number of public employees. The League had fought this measure in Congress and appealed to the President to veto it.⁶⁴ In October he issued an executive order classifying the fourth-class postmasters, 36,000 in number, in states south of the Ohio River and west of the Mississippi.⁶⁵

Mr. Foulke concludes his discussion of the Taft Administration with this paragraph: "At the close of Mr. Taft's

⁶²United States Civil Service Commission, *Annual Report*, Vol. XXVIII, p. 14 (1912).

⁶³*Proceedings of the League*, 1910, pp. 51-53, 63; *Congressional Record*, 61st Congress, 3d sess., Vol. XLVI, pp. 26, 32 (1911).

⁶⁴*Infra*, pp. 173-174.

⁶⁵*Proceedings of the League*, 1912, pp. 73-74, 78; United States Civil Service Commission, *Annual Report*, Vol. XXX, p. 15 (1914).

administration a larger percentage of the executive civil service was in the competitive class than at any previous time, but it may be doubted whether the service was as efficient or as free from political influence as during the administration of President Roosevelt."⁶⁶ A step backward was also taken by the Taft Administration when the rules were changed by executive order allowing the certification of three names for each vacancy for rural carriers and fourth-class postmasters. The previous rule had been for the certification of the head of the list in every case.⁶⁷

Before the election of 1912 *Good Government* reviewed the platform declarations on civil service reform of both the Republican and Democratic parties and likewise the records of the three leading candidates on reform. Since all three candidates had good records on reform, it was able to say: "As to candidates, therefore, the election of 1912 presents no issue for the friends of civil service reform."⁶⁸ The successful candidate, Woodrow Wilson, had been a Vice-President of the League since 1910.

SUMMARY

We are now in a position to determine the answers to the questions suggested at the beginning of this discussion. On the basis of the evidence to 1913, is the claim of the League that it is an impartial non-partisan critic justified, and have the efforts and strategy of the League to extend and improve the merit system succeeded?

It is submitted that the conduct of the League during this period showed clearly that the League was a non-partisan, impartial critic. It bestowed praise and blame on national administrations of both political parties with equal impartiality, and regardless of the political effects of its actions. The League had one standard to uphold, one rule by which all acts were measured, and that was the standard of true civil service reform. It can be said to the credit of the

⁶⁶*Fighting the Spoilsman*, p. 218 (1919).

⁶⁷*Good Government*, Vol. XXIX, pp. 26, 114 (1912); United States Civil Service Commission, *Annual Report*, Vol. XXIX, p. 137 (1913).

⁶⁸*Good Government*, Vol. XXIX, pp. 78, 94, 89-90 (1912).

organization that it did not fail to uphold and to apply this standard without fear or favor.

In answer to the second question, it is not too much to say that whatever progress has been made since 1883 in the extension and improvement of the merit system has been largely due to the strategy and efforts of the League. Publicists and editors concede that it has played the leading part in the extension and improvement of the merit system. Sait says: "For more than forty years the National Civil Service Reform League has fought the spoils system in politics. Persisting in the face of ridicule and discouragement, it has, in the national administration at least, all but stamped out an evil which, though condoned by politicians, was jeopardizing the future of democratic institutions."⁶⁹ Woodburn says that the League "has been a powerful factor in exposing and combating spoils politics."⁷⁰ The editor of the *New York Tribune*, after referring to the organization of the League in 1881, says: "From that time to the present have been forty years of steady progress, and also forty years of almost incessant fighting against both open and secret foes. It would require an encyclopedia to tell of all the attempts which have been made to repeal the civil service law or in some way to defeat its aim. In combating these malign influences the most alert and efficient agency has been the National Civil Service Reform League, with its allied state and municipal organizations."⁷¹

Thus far we have sketched the history of the League during the early struggle for the education of public opinion and the enactment of legislation, and have outlined the strategy of the League for the extension and enforcement of the merit system from 1885 to 1913. In the next part of this study, the activities of the League in the modern period will be described. The year 1913 is selected as an approximate date for the beginning of the modern period for several reasons. In the first place, a change of party

⁶⁹E. M. Sait, *American Parties and Elections*, p. 108 (1927).

⁷⁰J. A. Woodburn, *Political Parties and Party Problems in the United States*, 3d ed., p. 444 (1924).

⁷¹*New York Tribune*, June 14, 1923.

occurred, the first since 1896. A Democratic President and a former Vice-President of the League was in the White House. In the second place, a change occurred also in the Presidency of the League. Mr. Richard Henry Dana became President of the League in 1913. He was one of the founders of the League in 1881, became a member of the Executive Committee in 1890, and was elected Chairman of the Council in 1905. He helped to draft the Massachusetts Civil Service Law in 1884, and he was the author of the first Australian ballot act passed in the United States in 1888. His term as President was longer than that of anyone else except George William Curtis, the first President. The ten years of his Presidency were years of constructive activity.

About this time also there became noticeable a tendency to change the original character of the League; from a federation of local associations the organization seemed to be transforming itself into a unitary organization with an individual membership basis. This was due to the decline in vitality of the local associations, the decreasing support they gave to the program of the League, and their practical unreliability as sources of income. This last factor made necessary the finding of new methods of financing the League. The emphasis upon efficiency in government and the development of the science of public personnel administration have raised a serious problem as to the future scope and program of the League.

Before 1913 the activities of the League could be divided into the following groups: (1) Propaganda for the merit system; (2) Extension of civil service reform in national, state, and local governments; and (3) Defense of the competitive system from all attacks. In the period since 1913 a fourth activity was added, the improvement of personnel administration. These four types of activities of the League will be presented topically and analytically in the chapters that follow. Our purpose will be to focus attention on the technique and methods of the League and to describe and evaluate the different phases of its work. A final section will be devoted to a statement of the principal internal problems of the present League and the proposals which have been made for their solution.

PART II
ACTIVITIES AND TECHNIQUE OF THE LEAGUE

CHAPTER IV

PROPAGANDA METHODS

The League is but one of a score or more of organized groups which have been formed within the last fifty years to bring about improvements in various phases of our public life.¹ As a reform organization it has a specialized purpose—that of eliminating the evils of the spoils system from our public life and of improving administrative methods. Its members have no pecuniary interest in the work, their only reward being, as Sait says, “a sense of duty well performed.” A permanent organization, with a continuous existence since 1881, the League carries on its work through a central office with a permanent staff and through state and local associations. It attempts to form an attitude toward an institution, the spoils system, and toward a policy, that of substituting the principle of merit for partisanship in public employment. The instrumentality upon which it relies almost exclusively to accomplish its end is propaganda.²

OBJECTIVES OF PROPAGANDA

A primary objective of League propaganda has been from the first the creation of a favorable public opinion toward the merit system. George William Curtis in his address to the annual meeting of the League in 1887 stated very aptly what he considered the primary object of the League, saying: “In one of his speeches during the memorable debate with Mr. Douglas in Illinois, Mr. Lincoln said: ‘In this and like communities public sentiment is everything. With public sentiment nothing can fail; without public sentiment nothing can succeed. Consequently he who molds

¹E. M. Sait, *American Parties and Elections*, chap. 5 (1927); W. B. Munro, *The Government of American Cities*, 4th ed., chap. 22 (1926).

²Cf. H. D. Lasswell, “The Theory of Political Propaganda,” *American Political Science Review*, Vol. XXI, pp. 627-631 (1927).

public sentiment goes deeper than he who enacts statutes or pronounces decisions. He makes statutes and decisions possible or impossible to be executed.' To influence this sentiment is the object of this League and of the various Associations of which it is composed. . . ."³

In addition to the primary education of public opinion and the popularizing of the principle of the merit system and permanence of tenure in office, the League has had to bring moral pressure to bear upon the members of legislative bodies for the enactment of its principles into law, and then "to observe its application with sleepless vigilance and to insist upon its rigid enforcement."

A useful field for League propaganda would be the creation of greater popular esteem for the public servant and for the public service. "At the present time," says a leading student of personnel administration, "the achievements of the permanent personnel of national, state, and city governments are insufficiently recognized. The average citizen has a very inadequate idea of the size and ramifications of the business carried on by our governments, and the high degree of effectiveness with which, on the whole, it is accomplished. The public service stands greatly in need of a campaign of advertising and popular education. It should be more generally presented to the public in the light, not only of its shortcomings, but also of its substantial and indubitable accomplishments."⁴

In analyzing the propaganda methods of the League we must consider the media through which propaganda is disseminated, the psychological content of propaganda at different periods, propaganda with political parties, propaganda with allies and neutrals, opposition propaganda, and the results which have been obtained.

PROPAGANDA MEDIA

Chief among the propaganda agencies of the League are its publications. These may be divided into regular pub-

³*Proceedings of the League*, 1887, p. 5.

⁴A. W. Procter, *Principles of Public Personnel Administration*, pp. 25-26 (1921).

lications, including *Good Government*, the *Proceedings* of the annual meetings, the *Field Department Bulletin*, and publications of a miscellaneous nature.

Good Government. This journal has been published by the League since 1892. It was established by the consolidation of the *Civil Service Record*, published by the Boston and Cambridge Civil Service Reform Associations, the first issue appearing May 21, 1881, and the *Civil Service Reformer*, of Baltimore, published by the Maryland Civil Service Reform Association from January, 1885, to June, 1892. Before the union of these two journals, the *Record* practically served as the official publication of the League and exerted a wide influence with its monthly circulation of over five thousand copies.⁵

The magazine is published ten times a year, monthly, except July and August, and distributed from the League office at 8 West Fortieth Street, New York City. It is edited by the Secretary of the League with the assistance of his staff,⁶ and under the direction of a supervisory committee of three members appointed annually by the President, and the Chairman of the Council and the Secretary, *ex officio*. This committee advises principally on questions of policy.⁷

Approximately twenty-six hundred copies monthly are distributed among League contributors of the past year, a small list of subscribers, a free list of libraries and members of those local associations which have paid a special subscription rate of 75 cents per member. *Good Government* records monthly the extent and progress of civil service reform in Congress, the federal departments, and in the state and local governments. Attempts to break down or to evade the merit system by Congress or administrative departments are exposed; movements to extend the

⁵*Proceedings of the League*, 1892, pp. 38-41; *Minutes of the Executive Committee*, April 28-29, 1892, p. 3; May 25, 1892, pp. 1-2; June 15, 1892, pp. 1-2; *Civil Service Record*, Vol. XI, p. 103 (1892).

⁶During the Greater Activity Campaign, 1917-1919, the title *Editor of Good Government* was created and a special editor employed. Cf. *Good Government*, Vol. XXXVI, p. 113 (1919).

⁷*By-Laws*, sec. 6.

merit system are chronicled, and the work of the United States Civil Service Commission is given attention. No special space is reserved for editorials. No advertising is carried and cartoons are seldom used. An occasional reference is made to the League's program, annual meeting and work attempted. Members of the Council contribute articles occasionally, but most of the copy is prepared by the staff. Broadsides of important articles which are to appear in *Good Government* are frequently made and sent out to the press in advance of publication. In this way editors who might never read the columns of the magazine itself are made aware of its publication and often such material finds its way into newspaper columns without the newspaper's ever actually having a copy of the magazine. Its principal value is as propaganda and information to members and the public regarding the progress of civil service reform.

Proceedings. Another publication of importance is the *Proceedings* of the annual meeting of the League. Since 1881 a separate volume for each year contains the complete transactions.⁸ From twelve hundred to fifteen hundred copies are distributed to all contributors, Council members, and to libraries. *Proceedings* are valuable because they make a permanent record of League activities and inform League supporters of its work.

Field Department Bulletin. Publication of the *Field Department Bulletin* was begun in April, 1924, and it has been issued monthly since that date with the exception of certain summer months in 1925 and 1926.⁹ This mimeographed publication, which is edited by the Field Secretary, contains statistics as to the extent of the merit system, national, state, and local, and short articles dealing with the League's efforts to extend the merit system or to combat spoils attacks on it. Special attention is given to bills in Congress extending or seeking to undermine the merit system. One

⁸In 1916, printing of the *Proceedings* was abandoned and in that year and in 1918 they were typed. No meeting was held in 1917. Since 1919 *Proceedings* have been printed annually.

⁹Beginning in October, 1927, it has been discontinued as a separate publication, being printed in the last four pages of *Good Government*.

page of each regular issue of four pages is devoted to a brief description of the services of the Field Department of the League, together with a list of available League publications.

The *Bulletin* is sent free to about one thousand representatives of various organizations—civil service reform associations, women's clubs, civic, community, and commercial organizations, voters' associations, Americanization committees, college departments, libraries, government officials, civil service commissions, interested individuals, and to daily newspapers, editors of farm papers, class magazines, and weeklies. The purpose of the *Bulletin* is entirely to give information and propaganda as a basis for legislation. Eighty per cent of its distribution goes to interested group leaders and the remainder to civil service workers. As a means of stimulating interest in the reform it has been more successful than *Good Government*, the Field Secretary thinks.

Miscellaneous Publications. Since its organization the League has published hundreds of pamphlets of a miscellaneous nature and distributed thousands of copies of each. Some idea of the volume of this work in the early period has already been indicated.¹⁰ The complete list of League publications is given elsewhere in this study.¹¹

Distribution of publications is now handled by the Field Secretary. The principal object of the distribution of publications is to arouse the interest of the recipients to the point where they will support or oppose local and federal civil service legislation under the direction of the League. It is the policy of the League to send publications (unless upon special request) only to representatives of organizations such as voters' and taxpayers' clubs, and civic leagues, who will redistribute the publications and use them in speeches or articles. This insures more attention to the publications than if they came directly from the League, and the cost of mailing is lowered. New pamphlets are

¹⁰*Supra*, p. 30.

¹¹*Infra*, pp. 278-284.

tried out by sending samples to a selected group of representatives of civic organizations. If the response is not favorable, the document is not generally distributed. Certain pamphlets are sent to special groups; *e.g.*, Mrs. Roosevelt's Americanization folder was tried out with Americanization committees; the School Children's edition of *The Merit System in the Civil Service*, with educational magazines and teachers; Mrs. Oakley's *Objections Answered*, with speakers; the *Report on the Foreign Service*, with the American Manufacturers' Export Association, the National Foreign Trade Council, and the United States Chamber of Commerce.

No attempt is made to provide special pamphlets for women, as there is no need for them. It is the observation of the Field Secretary that women will write more letters than men supporting or opposing legislation.

A total of 35,623 copies of 29 different publications was sent out during 1924, and in 1925, 26,550 copies of 23 different publications were distributed. Distribution is limited in states having civil service laws and increased in states without civil service laws.

According to the Field Secretary the miscellaneous literature of the League is valuable both as history and propaganda. However, it is propaganda to a very small group of interested persons, libraries and schools, and group leaders.

Newspaper Publicity. The publicity policy of the League is a conservative one,—not to attempt to obtain publicity by influence with editors or writers, but solely on the intrinsic merits of its work. Only statements that have a news value are sent out; no attempt is made to flood the copy desks of the country with miscellaneous statements of little news value. At present the League attempts to get out about one release a month. These releases all carry a Washington date line, and most of them were prepared by Mr. R. M. Boeckel, a publicity man of Washington, who was in charge of the Washington office of the League for several years before it closed in 1925. During the reestablishment

of the Washington office in 1927, Dr. J. B. Kingsbury had charge of the preparation of newspaper stories.

The annual meeting with the President's address and the report of the Council draws very good publicity. In fact, this is the strongest reason for the retention of the annual meeting. *Good Government* articles attract some attention, the larger newspapers being on the free list. The largest amount of publicity received in recent years has come from the League's attack on the spoils character of the prohibition enforcement agents.

All of the great newsgathering agencies—the Associated Press, United Press, and International News—carry League news to some extent, the Associated Press being the best. Among the papers which have been most liberal in printing League publicity may be mentioned the *New York Times*, *Springfield (Mass.) Republican*, *Christian Science Monitor*, *Washington Star*, *Philadelphia Record*, *Baltimore Sun*, *New York Tribune*, *New York Evening Post*, *New Haven Journal Courier*, *Cleveland Plain Dealer*, *Indianapolis News*, *Detroit News*, *Chicago Tribune*, *Kansas City Star*, *St. Louis Globe Democrat*, and *Los Angeles Examiner*. Among hostile papers the *Hartford Courant* is conspicuous.

Other Media. The early reformers, Curtis, Eaton, Schurz, and many others, addressed thousands of citizens in meetings held throughout the different states.¹² This method of arousing public opinion has always been used by the officers and members of the League. Public addresses are made before boards of trade, chambers of commerce, clubs, lodges, forums, labor unions, women's clubs, voters' leagues, and employees' organizations, presenting the League's program for ratification and support. Messrs. Dana, Foulke, and Catherwood, during their respective administrations as President of the League, addressed many organizations and societies, and contributed articles on the merit system to several journals. One of the most effective meetings held by the League recently was the mass meeting called in Washington, D.C., on April 27, 1922, to protest

¹²*Civil Service Record*, Vol. I, pp. 7, 15, 24 (1881-1882).

against the attempt of the Harding Administration to restore the spoils system.¹³

Many early reform associations offered prizes for the best essays on the merit system written by the pupils of the public schools, and the Women's Auxiliary of the Buffalo Civil Service Reform Association still maintains the practice. Another method of impressing the public with the nature of the League's work is the publication of statements of prominent statesmen in favor of the merit system.¹⁴ Modern instruments of communication, the radio and the cinema, have not been employed in League propaganda. Nor has much use been made of cartoons. The League's policy is a conservative one; no publicity "stunts" have ever been staged.

It is evident, then, that the propaganda of the League is reaching a very small group—libraries and schools, editors, students of administration, group leaders, civil service workers, and other interested persons. In a memorandum on *Contact Agencies and Groups They Reach*, the Field Secretary, after reviewing the different media—newspaper publicity, *Good Government*, *Field Department Bulletin*, and miscellaneous literature, concluded: "Outside the *Bulletin*, our contact with persons not actively interested in civil service is negligible, *i.e.*, forty persons in six months. Contact with new group leaders may be extended most cheaply by increasing the *Bulletin* circulation and by the distribution of free literature."

Munro says that "reform organizations have paid too little attention to the dressing of their front windows."¹⁵ This is certainly true of the League so far as the attractiveness of its publications and literature is concerned. To

¹³ *Good Government*, Vol. XXXIX, pp. 57-69 (1922); *infra*, p. 165.

¹⁴ Cf. *Civil Service Reform as Demanded by Presidents and Statesmen*, Published for the Women's Auxiliary of the Massachusetts Civil Service Reform Association (1908); E. C. Marsh, *The Civil Service, A Sketch of the Merit System*, p. 32 (1922); *Good Government*, Vol. XL, pp. 69-71 (1923).

¹⁵ W. B. Munro, *Personality in Politics*, p. 37 (1924).

most people the competitive system is a dry and uninteresting subject. Brooks says, "Perhaps it is too much to expect warm human enthusiasm for a cause which proceeds by competitive examinations and glorifies cold-blooded efficiency. . . ."¹⁶ One State President of a Federation of Women's Clubs wrote: "I renew my subscription: won't you please try not to make it so deadly dull?" Little effort seemingly has been made to "dress up" the publications of the League so as to make them more attractive to the public.

This question naturally arises concerning the publicity of the League: To what extent have modern publicity methods been used, and publicity experts been employed? In 1923, Mr. R. D. Skinner, an advertising expert, proposed that an appeal should be made to business men to support the League on the argument that the adoption by Congress of the League's program would reduce the income tax. His suggestions were not approved by the Executive Committee.¹⁷ A special circularization campaign for members conducted by Mr. Robert Stuart in 1925 did not prove to be a success. Both Mr. Skinner and Mr. Stuart prepared certain folders for the League campaign. In 1917-1918 the editor of *Good Government* was a trained newspaper man. In 1919 a new Publication Committee of publishers and journalists was appointed and the chairman, Mr. E. C. Marsh, Vice-President of the Macmillan Company, prepared a pamphlet on *The Civil Service, A Sketch of the Merit System*, which had a wide circulation. During 1925 Mr. Rowse acted as Publications Advisor and Mr. Boeckel had charge of newspaper publicity for several years.

But on the whole the Executive Committee of the League has not been inclined to favor the trained publicity expert and his methods, despite the conviction of some of the friends of the League that it never has had and ought to have effective modern publicity. The attitude of the Executive Committee may be well illustrated by the following

¹⁶R. C. Brooks, *Political Parties and Electoral Problems*, p. 542 (1923).

¹⁷Minutes of the Executive Committee, May 22, 1923, p. 2.

statements of two of its members: "Whether it would pay us to tie up with some so-called expert in publicity is doubtful to me. . . . There is so much publicity being done for all kinds of commercial as well as philanthropic enterprises that I believe people are beginning to discount it. We are not selling cigarettes or tooth-paste, but ideas, which necessarily appeal to a select group, and I do not believe that we can ever go very far without the personal effort of those who are interested." And another member wrote: "Personally I have not much confidence in the value of the advice of an advertising and publicity expert in regard to the form and methods of distribution of this pamphlet. Our problem is very different from that of the men who are conducting drives for causes which appeal to the sentiment of the contributors." One observer of the League's work suggests that there is an unevenness to its propaganda due to the fact that much of it is prepared by *ad hoc* committees.

Finally, no scientific survey has ever been made of the League's organization and propaganda methods. In 1920 a proposal for a survey by Griffenhagen and Associates of Chicago was discussed by the Council, but no contract was entered into for the work.¹⁸

CONTENT OF PROPAGANDA

Civil service reform has two purposes, the purification of politics by eliminating the motive of private gain, and the improvement of the public service. It thus involves both a moral and an economic issue. The spoils system makes politics a battle for plunder; public issues are obscured in the wild scramble for office. Patronage and not issues determine political contests. Elimination of the spoils system will restore political parties to their true function and attract a higher type of man to public office. In this sense civil service reform is a moral issue for the purification of politics by the elimination of the evils of patronage. On the other hand, the merit system involves a plan for the improvement

¹⁸*Minutes of the Council*, June 10, 1920, p. 2.

of administrative methods. Competitive examinations for entrance into the public service will eliminate the unfit and improve the efficiency of the administration. The recent growth of the functions of government and the multiplication of administrative agencies has intensified the emphasis on the merit system as a material and economic issue.

League propaganda has recognized both of these appeals. But up to about 1909 little attention was given to reform as an economic issue. During the first thirty years of its existence the moral side of reform was stressed with much greater emphasis than the economic side. This was due in great part to the carrying over of the views of the great leaders of reform in the early militant days. It has already been noted that most of the men who entered the ranks of the reformers in the stirring period following the Civil War had one motive in mind—to purify politics and to regenerate democracy by the destruction of the vicious spoils system.¹⁹

For approximately the first thirty years of its existence, then, the appeal of the League was almost exclusively for greater morality in politics. Today the emphasis is shifting gradually to that aspect of the problem which was considered secondary and incidental by the early reformers, the improvement of public administration. In recent years the propaganda of the League has begun to stress the business value of civil service reform, the economic benefits of the merit system, and the League's efforts to improve the efficiency of the public service.

It was in 1909 that President Eliot first called attention to the change in the nature of the League's appeal. In his address at the annual meeting he said:

The League can be useful in forming public opinion concerning the business value of the merit system. This value has many elements. The economies effected by a good system of appointment and promotion are numerous and various. Fewer people are needed to do a given amount of work; sinecures are detected and abolished; a day's work is got for a day's pay; all labor is

¹⁹*Supra*, pp. 9-10.

more efficiently performed; the waste caused by the frequent bringing in of inexperienced persons is prevented; a reduction in force often accompanies an increase in the amount of work done; or in other words, there is often increased efficiency with fewer employees. The League should systematically collect and publish statistics of economies effected through judicious use of the merit system of appointments and promotions. A good beginning has been made in this direction; but much more may be profitably done.

The great reason for the gains made during the last thirty years for the merit system is that the merit system is the only business-like and democratic method of selecting the servants of the government, municipal, state, or national.²⁰

At the same meeting Mr. Robert Catherwood and Mr. Walter L. Fisher of Chicago discussed the question of efficiency and civil service reform.²¹ In 1915 President Dana, in his address at the annual meeting, emphasized the fact that the League believed the scope of the merit system should be extended to cover the whole subject of efficiency in the government service.²² During 1917-1919, when a Greater Activity Program was formulated and a campaign for a Greater Activity Fund was conducted, the financial representatives of the League appealed to business men to support the League as an organization working for efficiency in public administration.²³

President Dana, in his address to the annual meeting in 1921, asserted that apart from interest on the war debt, one quarter of all our taxes, national, state, and municipal, could be saved by the adoption and carrying out of the whole program of the League. "The question then becomes one of vast importance to business as well as being a moral issue for the purification of politics."²⁴

²⁰*Proceedings of the League*, 1909, pp. 79-80. See League publication, *The Business Value of Civil Service Reform* (1909).

²¹*Proceedings of the League*, 1909, pp. 82-90, 107-118; *infra*, p. 186.

²²*Proceedings of the League*, 1915, pp. 45-51; *infra*, p. 187.

²³*Minutes of the Council*, January 28, 1916, pp. 6-12; February 25, 1920, p. 4; *Good Government*, Vol. XXXV, pp. 43-44 (1918).

²⁴*Proceedings of the League*, April 14, 1921, p. 19.

What is the explanation of this apparent shift of emphasis in the League's propaganda? The reasons are partly evolutionary and partly financial. It is due to a certain extent to the shift in interest from politics to administration. In the early period the work of the embattled reformers was to break the grip of the spoilsmen on the public service, to take patronage out of politics and to elevate the moral tone of public life. With the gradual extension of the merit system, attention has turned from the fight against the spoilsmen to problems of efficiency in administration, brought to the front by the expansion of governmental functions and the growth of the number of government employees. The second reason is a financial one. The League discovered during the Greater Activity Campaign that business men could be interested in an organization working to make the business of the government more "efficient," but could not be awakened to any interest in reform as a moral rather than a practical issue. The financial representative stated that the word "Reform" in the title of the organization was a distinct obstacle and liability in a financial campaign.

We have seen that reform can be considered as both a moral and an economic issue. In another sense it may be viewed as a negative or a positive force. In the early period the propaganda of the League was predominantly negative in content—it was engaged in "fighting the spoilsmen," winning a few offices at a time, consolidating the services won, and holding the line against all counter attacks of the enemy. In such a situation we may expect to find denunciation of the spoils system and of the spoilsmen playing a prominent part in League propaganda literature. The reformers described their opponents as "spoilsmongering politicians," a "venal oligarchy," "a huge office-holding hierarchy," "an organized political class," "brokers of petty place," "the political janizaries of the republic," "political marauders" and "'manly' advocates of political plunder." The spoils system was characterized as "bread and butter politics," "a despotism of venal politicians," "the personal and partisan prostitution of the public service," "a relic of

feudalism," "place hunting and venal jobbery," and "a moral pestilence, bred of ignorance, carelessness and knavery, which invites corruption as filth invites disease."

During the period when reform was viewed in its negative aspects, the merit system was considered primarily as a method to select qualified people for entrance to the public service. Within the last twenty years the merit system has come to include a positive program for the public service, including, besides the problems of recruitment, those of retirement, removal, promotion, efficiency records, and standardization of duties and salaries.

Today League propaganda is both negative and positive. The newer problems of the civil service have not been neglected. The League's contribution to the improvement of personnel administration—retirement, removals, promotions, and reform of the foreign service, will be discussed more fully in a later chapter.²⁵

While there is a movement in the League to abandon the old conception of the competitive system as a moral issue and a negative reform in favor of the newer, positive idea of employment management, it cannot be said that such a change has yet occurred. The transition is under way, but the League is not definitely committed to the newer program. The majority of the old reformers, and they still predominate in League councils, probably agree with Mr. Foulke in his statement of the object of reform. "The great purpose of it is not so much to provide an efficient civil service (although it does this) as to remove the temptation to use the offices of the government for personal or party ends, in other words, to remove the incentive to that kind of political corruption which is nourished by the hope of office."²⁶ It is Mr. Foulke's belief that the spoils system is still the greatest menace in American politics and that the principal object of League activities must be the re-

²⁵See Chap. VII.

²⁶W. D. Foulke, *Fighting the Spoilsman*, pp. 9-10 (1919).

moval of the political corruption begotten by the spoils of office.²⁷

A minority, composed principally of younger men, maintain that it is erroneous to view civil service reform as a means only of keeping the spoilsman out. That would be a negative result, whereas, the merit system, scientifically understood, is not merely a mechanical contrivance to keep the spoilsman out, but is a positive, constructive force for public service, assuring the most effective public service at the least public cost.²⁸

Like many other reforms, civil service reform has been unfortunate in its name. Professor Munro says that many reform organizations have shown a "deficient understanding of group psychology." He writes: "Those who have merchandise to sell are well aware of the fact that successful marketing is largely a matter of making the right sort of appeal to prospective purchasers. So they give heed to the psychology of advertising. They find that it pays to give their wares an attractive name; the name, indeed, is so important that great care is taken to find the best one." He contends that reformers have neglected the psychology of propaganda and have shown little ingenuity in the selection of good names; that the term "civil service reform," for instance, was borrowed from England, where the public employees are collectively called "the civil service," while government employees in the United States have never been known by such a name. The term "civil service reform," he feels, has retarded rather than helped the movement. "Merit system" is a far better term, he thinks, and is now gradually coming into general use, but the old terminology has been hardened by usage and yields slowly.²⁹

The experience of the financial representatives of the League in recent campaigns has corroborated Professor Munro's statement that the name has been a "dead-weight

²⁷Cf. "Spoils System Still An Active Factor," *National Municipal Review*, Vol. XII, pp. 507-513 (1923).

²⁸Cf. W. A. Bird, "Civil Service Reform As Employment Management," *Public*, Vol. XXI, pp. 1179-1180 (1918); *infra*, p. 250.

²⁹*Personality in Politics*, pp. 20-21 (1924).

upon a worthy cause." However, no proposal to change the name of the organization has met with the approval of the Council.³⁰

PROPAGANDA WITH POLITICAL PARTIES, PRESIDENTIAL CANDIDATES, AND CONGRESS

"Reform of the Civil Service," said George William Curtis in 1885, "is not as yet, and never has been, the distinctive policy of either of the great national parties. . . . As yet, however, I repeat, neither the Republican nor the Democratic party, as such, is distinctly and consistently a Civil-Service Reform party. . . . Civil Service Reform is not and never has been an indisputable Republican principle like the restriction of slavery; nor an acknowledged Democratic policy like the overthrow of the Bank."³¹

While it is as true today as it was when Mr. Curtis spoke, that neither party is distinctly and consistently a civil service reform party, this would not be concluded from a study of the declarations on the subject in party platforms. Beginning in 1872 the platforms of both the Republican and Democratic parties every four years have contained planks on civil service reform with the exception of the platforms of both parties in 1900 and the Democratic platform of 1920. Both parties have considered it politic to endorse the merit principle, the only hostile plank being that in the Democratic platform of 1896, which was reaffirmed and endorsed in 1900.³² Mr. Curtis drew up the civil service plank of the Republican platform of 1884, which was repeated in 1888. This resolution has been characterized by Mr. Foulke as "the fullest, completest, and most definite declaration upon this subject which has ever found place in any political platform." It read:

Reform of the civil service, auspiciously begun under Republican administration, should be completed by the further extension of the reform system already established by law, to all the grades

³⁰Minutes of the Council, July 26, 1918, pp. 10-11; *infra*, p. 234.

³¹Proceedings of the League, 1885, pp. 3-4.

³²K. H. Porter, *National Party Platforms, passim* (1924).

of the service to which it is applicable. The spirit and purpose of the reform should be observed in all executive appointments; and all laws at variance with the objects of existing reform legislation should be repealed, to the end that the dangers to free institutions, which lurk in the power of official patronage, may be wisely and effectively avoided.³³

But performance has lagged behind promise. In an address before the League in 1893 on *Platforms and Promises*, Mr. Foulke, after comparing the records of the two parties, concluded: "Performance, as yet, does not wholly keep step with promises. . . . Platforms have outgrown the period of hostility and indifference, and, in response to the force of public sentiment, parties are willing to promise anything, often more than they can perform."³⁴

Thus both major political parties have given lip service to the cause of civil service reform during preëlection campaigns, and have practically ignored such promises after they have secured control of the National Government.

In 1924 the League boldly undertook to secure an agreement between the major political parties to put an end to the patronage system through party action. Substantially identical resolutions were sent to all members of the Republican and Democratic National Committees in September. Each party was asked to challenge the other to join with it in a pledge that all appointments to administrative positions in the federal service should be made on the sole basis of merit and that such positions should not be used as patronage to be exchanged for party support.

As a result of this appeal, the League announced in November that "three-fourths of the replies thus far received from national committeemen of both parties state that the

³³*Ibid.*, p. 134.

³⁴Foulke, *op. cit.*, p. 305. For the League's criticism of the civil service resolutions in party platforms since 1892, see *Good Government*, Vol. XII, pp. 3-4 (1892); Vol. XV, p. 87 (1896); Vol. XVIII, pp. 1-2 (1900); Vol. XXI, pp. 102-103 (1904); Vol. XXV, p. 66 (1908); Vol. XXIX, pp. 74-75, 78 (1912); Vol. XXXIII, p. 65 (1916); Vol. XXXVII, pp. 97-100 (1920); Vol. XLI, pp. 97-100, 137-139 (1924).

writers will support such a resolution as is proposed for adoption at the next meetings of their committees. About one-fourth of the replies are non-committal or ask time for further consideration. Only two replies flatly opposing the suggested resolution have thus far been received by the League, one from a Democrat and one from a Republican National committeeman." The announcement continued: "The bulk of the replies from women members of both the Republican and Democratic National Committees strongly endorsed the proposed resolution and the principles involved."³⁵ Despite the favorable responses, there is no record that such a resolution was considered at the respective meetings of the Democratic and Republican National Committees, another example of promise without performance.

Since the extension and enforcement of the national civil service law and regulations depends primarily on the attitude of the President, the League is particularly interested in the records and declarations of the presidential candidates on the subject. The strategy of the League in the different presidential campaigns has already been described.³⁶ In every campaign since 1888 the League has officially reviewed the records and declarations on reform of the candidates of the two leading political parties, expressing in some cases a decided preference for one or the other candidate.³⁷

In 1904 the League addressed a formal letter to the Democratic candidate, Judge A. B. Parker, requesting his views on civil service reform. Roosevelt's views on reform were well known. Since then the League has regularly sent letters to the nominees of the major political parties and has given

³⁵*Good Government*, Vol. XLI, pp. 161-164 (1924); *New York Times*, November 3, 1924.

³⁶*Supra*, pp. 48-70.

³⁷*Good Government*, Vol. XII, pp. 27, 39 (1892); Vol. XV, pp. 88, 113-114 (1896); Vol. XVIII, pp. 1-2 (1900); Vol. XXI, pp. 145-146, 159 (1904); Vol. XXV, pp. 53-54, 90-91 (1908); Vol. XXIX, pp. 78, 94-95 (1912); Vol. XXXIII, pp. 89-95, 100 (1916); Vol. XXXVII, pp. 97-100, 129-130, 136-137, 139, 145-148, 152-154 (1920).

wide publicity to the replies.³⁸ In response to inquiries from the League, Governor Cox said on May 4, 1920, in a letter to the League: "I have . . . no hesitation in expressing my preference for the merit system." And in a supplementary letter of August 20, 1920, he added: "I should favor the extension of the classified competitive service in the federal government wherever practicable." The Republican candidate, Senator Harding, proclaimed an interest in "an extension, under tests, of the merit system of appointment and promotion to a larger group of federal employees, not to create a bureaucratic inflexibility which would rob a great private business as well as a great public business of its efficiency, but to give promise to those of merit and capacity that federal employment has all the stimulus of competition and reward that is offered elsewhere in private business."³⁹

Following its usual custom the League, in 1924, made inquiries of the leading candidates for President as to their respective attitudes toward the merit system. The Democratic candidate, John W. Davis, replied:

I take great pleasure in stating that I am in thorough accord with the pledges of the Democratic Party to comply with the spirit as well as the letter of the Civil Service law, and to extend the provisions of the civil service to officers and employes of the Government not in executive positions. Let me say further that I am absolutely opposed to the abuses now existing in certain Federal departments whereby the selection of the eligibles from civil service lists is controlled by unblushing political methods.⁴⁰

On account of the known sympathy of President Coolidge with the objects of the League, as indicated to officers of the League in personal interviews, he was not asked for a written statement. In his message to Congress in December, 1923, he said that he advocated the civil service classification of presidential postmasters and of the field service

³⁸*Ibid.*, Vol. XXV, pp. 54, 85-86, 90 (1908); Vol. XXIX, pp. 89-90, 94 (1912); Vol. XXXIII, pp. 95, 96, 100 (1916).

³⁹*Ibid.*, Vol. XXXVII, pp. 98-99, 129-130, 145-146 (1920).

⁴⁰*New York Times*, November 1, 1924.

for prohibition enforcement. He concluded: "The best method for selecting public servants is the merit system."⁴¹ No statement was received from Mr. La Follette.

No President, as we have seen, has fully lived up to the civil service pledges of his party platform or to his own personal declarations on reform.⁴² But this is not due to their lack of interest, for every President since 1883 has been personally friendly to reform. We must not assume that League propaganda has failed because Presidents have not lived up to their own standards of duty, says Mr. Foulke. "Each President has made a compromise with Satan by which Satan has lost a little territory. Let this go on long enough and the Satan of spoils politics will not have an acre left."⁴³

Let us now turn to the methods used by the League to influence legislation in Congress. We are not concerned here with the civil service record of any particular Congress or Congressman, nor with particular legislation advocated or opposed by the League.

The most effective campaign for enactment of legislation by the National Congress was that waged by the League and its constituent local associations for the passage of the Pendleton Act in 1883. This campaign has already been described.⁴⁴ Some of the methods of the early reformers are still in use, while others have been abandoned. Petitions and memorials from local organizations are seldom employed now, nor are candidates for Congress and other public office asked their views on civil service reform.⁴⁵ No value is attached to this latter practice now, and there is the positive disadvantage of the risk of antagonizing candidates. Neither does the League at present make any effort

⁴¹*Congressional Record*, 68th Cong., 1st sess., Vol. LXV, p. 98 (1924).

⁴²See Chap. III.

⁴³Foulke, *op. cit.*, p. 305.

⁴⁴*Supra*, pp. 32-34.

⁴⁵See *Report on the Expediency of Asking Candidates for Public Office their Views of Civil Service Reform* (1882), and *Civil Service Record, passim* (1882).

to defeat for election members of Congress unfriendly to reform. However, upon request, the League will furnish the civil service record of a member of Congress.

In the early days of reform two local associations were organized in the Third and Fifth Congressional Districts of Massachusetts, and it was thought by some that this was the proper area for the organization of local associations.⁴⁶ But this plan of organization never proved popular. Today the Field Department of the League has a list of some thirty-three hundred friends of civil service reform throughout the country arranged according to their residence in congressional districts. Some person or persons in sympathy with the work of the League can be found in all but 75 of the 435 congressional districts. These persons will be asked to urge their Congressmen to support bills advocated by the League. Pertinent information concerning Senators and Representatives is also kept by this department.

The League is frequently represented at committee hearings in Congress on bills pertaining to the civil service, by the Secretary, members of the Council, or the Washington Representative. Thus, the Secretary represented the League at two important hearings on bills before the Civil Service Committee of the House of Representatives in January and February, 1926, the first, a hearing on bills for the inclusion in the classified service of first, second, and third class postmasters, and the second, a hearing to include in the classified civil service the employees of the prohibition enforcement bureau who were exempted in the Volstead Act. Several members of the Council of the League, representatives of the Chamber of Commerce of the United States, and a large number of postmasters appeared at the hearing on the postmaster bills. The Secretary made a statement of the League's attitude on the postmaster bills, and the position of the League with respect to the classification of prohibition enforcement agents was laid

⁴⁶*Civil Service Record*, Vol. II, p. 90 (1883).

before the Committee in the form of a letter from the President of the League, Mr. Thomas W. Swan.⁴⁷

Other methods of influencing congressional action are by private conferences with Senators and Representatives, by letters to the members of committees handling civil service legislation, and sometimes letters to all members of Congress. Through the *Field Department Bulletin* friends of the League are asked to write to their Congressmen urging the passage or defeat of certain bills advocated or opposed by the League. Civil service bills in Congress are analyzed and reviewed monthly in the journals of the League, and in the annual report of the Council.⁴⁸

Indirectly the League seeks to influence Congress through the President, by getting favorable recommendations in his message to that body or by urging him to veto objectionable bills. In 1912 League officials conferred with President Taft and later filed a memorandum with him objecting to a rider to the legislative, executive, and judicial appropriation bill establishing a seven year term of office for classified employees in the executive departments of the District of Columbia. President Taft vetoed the bill, condemning in his veto message the idea of a fixed term.⁴⁹ By letter of February 13, 1919, President Wilson was asked to veto the pending Census bill because of its patronage and preference features.⁵⁰ President Wilson signed the bill.

League propaganda has been less successful with Congress than with the executive branch of the Government. The passage of the Pendleton Law in 1883, the Rogers Act in 1924, and the law of 1927 putting prohibition enforcement agents under the merit rules are the outstanding examples of successful propaganda with Congress. In the

⁴⁷ *Good Government*, Vol. XLIII, pp. 9-14 (1926).

⁴⁸ Civil service matters in the Sixty-ninth Congress (1925-1927) are reviewed in *Good Government*, Vol. XLIII, pp. 9-14, 25-30, 33-36, 41-49 (1926), and Vol. XLIV, pp. 9-13 (1927); *Field Bulletin*, Vol. II, no. 7 to Vol. III, no. 3 (February, 1926-February, 1927).

⁴⁹ *Good Government*, Vol. XXIX, pp. 89, 95-96 (1912); *infra*, pp. 173-174.

⁵⁰ *Infra*, p. 141.

intervening period extension of the merit system was mainly dependent upon executive action.

Congress has failed to repeal the Four Years' Law and has refused to pass laws for the inclusion within the classified service of presidential postmasters, census employees, and employees of other exempt positions. It frequently exempts the employees of new offices from the operation of the rules, gives preference by law to veterans, and its members often bring political pressure to bear upon executives to break down the law for the benefit of the spoilsman. Open attacks on the merit system are not now so frequent, but the fact remains that the merit system has few real friends in either house.⁵¹ Most Congressmen still think that the patronage system is absolutely necessary for their retention in office. Afraid to repeal the Pendleton Law, Congress refuses to aid the extension of the merit system by legislation, and no doubt most of its members would rejoice at the restoration of the old spoils system.

PROPAGANDA WITH ALLIES AND NEUTRALS

Professor Munro says, "Somebody once remarked that every reformer desires to be a 'star,' and that every reform organization is an all-star cast. In such an aggregation there is bound to be jealousy and suspicion." He continues:

Each reformer is wedded to his own brand of reform and to his own methods of promoting it. He is skeptical of anything that is being promoted by others. Hence it is that the most vigorous denunciation of one reform often comes, not from the camp of the common enemy, but from those who ought to be allies. The civil service reformer, if he feels so inclined, does not scruple to assail the single taxer or the advocate of proportional representation. And the "personnel engineers" (our latest type of administrative reconstructionists) have recently been passing left-handed compliments to the civil service reformers. Meanwhile the pirates of politics indulge in mirthful lip-smacking at the dissensions across the way.

⁵¹*Infra*, pp. 171-175.

This lack of team-play has been the greatest of all handicaps upon the progress of reform.⁵²

Will this statement apply to the League? What has been the attitude of the League toward other reforms and reform organizations, political, moral, and professional? How do "Allies" and "Neutrals" figure in League propaganda, and what is their view of the League?

Civil service reformers have from the first maintained that their reform is the fundamental reform and all others are dependent upon it. In an address before the annual meeting in 1890, entitled *The Relation of Civil Service Reform to Other Reforms*, Mr. Charles J. Bonaparte said: "It is the function of Civil-Service Reform to provide for all other reforms, whether legislative or administrative, in our polity, the necessary plant for their work. They can become realities only through the instrumentality of public men fit to mold them in a shape for lasting and practical utility. . . ."⁵³ With civil service reform in municipal, state, and federal governments, abler men will be drawn into public life, and when such men have been obtained "we may hope for those reforms which only their rule can give us." At the same meeting Mr. Lucius B. Swift spoke on the subject: *All Other Reforms Should Be Subordinated to Civil Service Reform.*⁵⁴

The Fundamental Reform was the subject of President Eliot's address to the annual meeting in 1909. It began with this significant sentence: "The reform in the civil service which this League has been promoting for twenty-nine years is the fundamental governmental reform, the reform on which all other improvements in national, state, and municipal administration necessarily depend. The explanation of this fact is that the efficiency of all governmental services in these days depends on the adoption throughout such services of the merit system of selection

⁵²*Personality in Politics*, pp. 14-15 (1924).

⁵³*Proceedings of the League*, 1890, pp. 45-51.

⁵⁴*Ibid.*, pp. 52-59.

and promotion." All other reforms in municipal government, in taxation, and in public health administration, to succeed, must make the merit system the foundation of the new system.⁵⁵

A final instance of this attitude may be given. In his address to the annual meeting in April, 1921, Mr. Dana, after describing the program of the League for the improvement of the efficiency of the public service, asked, "Why not all get together on this program?" He continued:

Our practical man of affairs may say that there have been many other reforms of much promise that have produced very small results if any. There is the Australian Ballot Law. It has made it harder to bribe voters and elections are more orderly, but it has had no appreciable effect on squandering of taxes. The open primaries are admittedly a failure. The short ballot is better than a long one but it has not stopped public squandering. The commission form of municipal government, after a few successes, has accomplished nothing in the same line. The same may be said for the plan for city managers and its failure is because the managers are the creatures of politicians, by politicians, and for politicians. No better success has occurred with the theory of executive responsibility, elections at large or by districts, the budget system, minority representation, preferential ballot, compulsory voting, or female suffrage, and why? After all, these relate to forms of government and of these Pope says:

"For forms of government let fools contest,
Whate'er is best administered is best."

Our full program furnishes capable and honest administration, thus going to the very root of the matter.⁵⁶

Bitter criticism was directed by the League against an organization with a great moral issue during the fight to bring the field force of the Prohibition Bureau under the merit rules. The Anti-Saloon League was accused of sacrificing these places to the spoilsmen in order to get the Volstead Law through Congress. The League leaders, particularly Mr. Foulke, denounced the immorality of this conduct and finally brought the Anti-Saloon League leaders to

⁵⁵*Ibid.*, 1909, pp. 65-68.

⁵⁶*Ibid.*, April 14, 1921, pp. 26-27.

the point of supporting the classification of prohibition agents.⁵⁷

A conspicuous failure of the League propaganda has been that designed to win the support of the labor group. The value of this support has been appreciated, and addresses have been made to working men, explaining how the reform affects their interests,⁵⁸ but, as Fish says, "the platforms of labor parties do not testify to their interest in it." What is the explanation of this? It is due in part, no doubt, to what Fish calls "the character of its advocates." He writes: "In list after list of the members of civil service reform associations, not a name can be found that does not suggest to one acquainted with the nomenclature of the various localities, education, wealth, or social position; the very list of such societies existing in 1892 shows that centres of learning and wealth, and not of population, are represented."⁵⁹ And Theodore Roosevelt, one of the foremost of the civil service reformers of his day, says of many of the reform leaders:

The Civil Service Reform movement was one from above downwards, and the men who took the lead in it were not men who as a rule possessed a very profound sympathy with or understanding of the ways of thought and life of their average fellow-citizen. They were not men who themselves desired to be letter-carriers or clerks or policemen, or to have their friends appointed to these positions. Having no temptation themselves in this direction, they were eagerly anxious to prevent other people getting such appointments as a reward for political services. In this they were quite right. . . .

But there are other and more vital reforms than this. Too many Civil Service Reformers, when the trial came, proved tepidly indifferent or actively hostile to reforms that were of profound and far-reaching social and industrial consequence. Many of them were at best lukewarm about movements for the improvement of the conditions of toil and life among men and

⁵⁷*Infra*, pp. 131-139.

⁵⁸*Proceedings of the League*, 1895, pp. 116-128; 1911, pp. 145-150. Cf. H. A. Richmond, *The Workingman's Interest in Civil Service Reform*, New York Civil Service Reform Association (1889).

⁵⁹C. R. Fish, *The Civil Service and the Patronage*, p. 243 (1905).

women who labor under hard surroundings, and were positively hostile to movements which curbed the power of the great corporation magnates and directed into useful instead of pernicious channels the activities of the great corporation lawyers who advised them.⁶⁰

Failure of League propaganda to make any impression on the labor group may be due also to the fact that the League's appeal has been phrased in language suitable for the intelligentsia, but hardly adapted to the forum of the labor group. In labor circles there is also a feeling that civil service gives an undue advantage to applicants who have had a high school or college education.

With another group, the women, the League has been more successful in its propaganda. In 1895 the women interested in civil service reform organized the Women's Auxiliary to the Civil Service Reform Association of New York. Later, auxiliaries to the Massachusetts and Maryland Civil Service Reform Associations were formed and the Women's Civil Service Reform Association of Buffalo was established. The General Federation of Women's Clubs has been active in propagating the principles of the reform and has since 1902 maintained a standing Committee on Civil Service Reform.⁶¹ These women's organizations have been valuable adjuncts to the League in disseminating propaganda on the merit system.

Within the last twenty years certain professional groups interested in public administration have arisen. Among these may be mentioned the bureau of municipal research workers, the city managers, and the personnel administration experts. What is the relation of League propaganda to these groups? Among city managers there has been some criticism of the operation of the merit system in city government. The principal objections made are that (1) the

⁶⁰Theodore Roosevelt, *Theodore Roosevelt, An Autobiography*, pp. 149-150 (1914).

⁶¹*Proceedings of the League*, 1896, p. 66; 1900, p. 86; 1901, pp. 83, 86; 1902, p. 136; 1904, p. 62. Cf. I. B. Oakley, "Women's Clubs and Civil Service Reform," *Current History*, Vol. XVII, pp. 806-811 (1923).

work done in selecting persons for the eligible list is very poor, (2) civil service commissions do not consult the department heads as to the qualifications needed for a particular position, and (3) civil service laws lay more emphasis on preventing an employee from losing his job rather than on the quality of the service rendered. The League has sought to answer all of these objections.⁶² Upon invitation of the city managers the Secretary of the League addressed them in their annual convention at Grand Rapids, Mich., in November, 1925, on the subject, *Civil Service and the Personnel Director*.⁶³ The other professional groups, the municipal bureau group, and the personnel administration group have on occasions, as Professor Munro says, passed "left-handed compliments to the civil service reformers." As a whole they respect the history and traditions of the League and acknowledge its usefulness as a propaganda agency in the fields of extension and defense, but do not consider it capable of making any great contribution to the personnel management movement.

It will be interesting, before concluding this discussion, to see how certain other groups picture the League. What impression of the reformers is held by the Presidents whom they have often severely criticised, by students of politics and by the press?

All of the Presidents of the United States since 1883 have been personally friendly to reform. None did more for reform than Presidents Cleveland and Roosevelt and both were Vice-Presidents of the League at the time of their deaths. Both were among the great reformers of their day, though neither wished to be known by that name. Yet we have very frank expressions from both regarding the civil service reformers. President Cleveland, no doubt smarting under the attacks of the reformers, in a letter to Dorman

⁶²*Good Government*, Vol. XLI, pp. 152-154 (1924); Vol. XLII, pp. 10-14 (1925).

⁶³*City Manager Magazine*, Vol. VIII, no. 3, pp. 64-67 (March, 1926); Vol. VII, no. 9, pp. 9-11 (September, 1925); *National Municipal Review*, Vol. XIII, pp. 358-360 (1924); L. D. White, *The City Manager*, pp. 243-246 (1927).

B. Eaton of September 11, 1885, accepting his resignation as a member of the Civil Service Commission, said:

It is a source of congratulation that there are so many, many friends of civil service reform marshalled on the practical side of the question, and that the number is not greater of those who profess friendliness for the cause, and yet mischievously, and with supercilious self-righteousness, discredit every effort not in exact accord with their attenuated ideas, decry with carping criticism the labor of those actually in the field of reform, and, ignoring the conditions which bound and qualify every struggle for a radical improvement in the affairs of government, demand complete and immediate perfection.⁶⁴

One biographer records that Mr. Cleveland sometimes referred to the reformers as "these fool friends of Civil Service Reform."⁶⁵

In his *Autobiography*, Roosevelt records his impressions of some of the civil service reformers.

So much for the objections to the examinations. Now for the objections to the men who advocated the reform. As a rule these men were high-minded and disinterested. Certain of them, men like the leaders in the Maryland and Indiana Reform Associations, for instances, Messrs. Bonaparte and Rose, Foulke and Swift, added common sense, broad sympathy, and practical efficiency to their highmindedness. But in New York, Philadelphia, and Boston there really was a certain mental and moral thinness among very many of the leaders in the Civil Service Reform movement. It was this quality which made them so profoundly antipathetic to vigorous and intensely human people of the stamp of my friend Joe Murray—who, as I have said, always felt that my Civil Service Reform affiliations formed the one blot on an otherwise excellent public record.⁶⁶

Professor Munro cites civil service reform as a "typical example of the reformer's bondage to a principle."

Civil service reform has rendered a great service in debarring the clearly unfit from appointive office, and the merit system

⁶⁴*Civil Service Record*, Vol. V, p. 33 (1885).

⁶⁵G. F. Parker, *Recollections of Grover Cleveland*, pp. 258-259 (1909).

⁶⁶Roosevelt, *op. cit.*, p. 149.

probably offers the most practicable method of getting the best men into *some* administrative positions; but to insist that it is the only practicable method of securing competent men for *all* appointive posts, whether high or low, and irrespective of the qualities needed—to press the point thus far is to give a typical example of the reformer's bondage to a principle.⁶⁷

Students of politics should be expected to represent the neutral view. Ray speaks of "advocates of eminence and high character, such as George William Curtis, Carl Schurz, and Theodore Roosevelt."⁶⁸ Sait remarks: "Distinguished men have been associated with the League; in the earlier days George William Curtis, Carl Schurz, and Dorman B. Eaton; later on Theodore Roosevelt, W. H. Taft, Woodrow Wilson, Joseph H. Choate, Charles W. Eliot. They have dedicated themselves to a cause which has sometimes provoked powerful enmities and which rewards them only with a sense of duty well performed."⁶⁹ Ostrogorski speaks of "the civic enthusiasm which animated the noblest and most eminent of these men, some of whom had a national reputation, like G. W. Curtis," and declares, "This enthusiasm spread to a number of young men now scattered all over the Union; it will not die out in them nor, in all probability, with them."⁷⁰

Ignoring the partisan press, we find that independent newspapers appreciate the disinterested character of civil service reform advocates. The *New York Tribune* refers to the League as the "most alert and efficient agency" in the fight against spoilsman.⁷¹

And the following paragraph from an editorial in a New England paper may be taken as an example of the best informed public opinion:

⁶⁷ *Personality in Politics*, p. 7 (1924).

⁶⁸ P. O. Ray, *An Introduction to Political Parties and Practical Politics*, 3d ed., p. 342 (1924).

⁶⁹ Sait, *op. cit.*, pp. 108-109.

⁷⁰ M. Ostrogorski, *Democracy and the Organization of Political Parties*, Vol. II, pp. 498-499 (1908).

⁷¹ *New York Tribune*, June 14, 1923.

The National Civil Service Reform League is a body of public-spirited citizens of high ideals, devoted to the cause of improvement in the personnel of the public service uninfluenced by partisan consideration and, withal, conscientiously critical of appointments to Federal positions, regardless of the party affiliations of the appointing officer.⁷²

From this survey of propaganda with allied and neutral groups we must conclude that there has not always been the fullest coöperation between the League and other reform organizations. There is something to be said for the League's view that the personnel problem is the fundamental question to be solved. Its solution would undoubtedly contribute to the accomplishment of other reforms. Despite instances of lack of team-play, there are notable examples of coöperation, *e.g.*, the Conference Committee on the Merit System, the Mass Meeting of Civic Organizations called by the League in Washington in April, 1922, to protest the spoils raid under the Harding Administration, and the work on the Foreign Service Report with the Foreign Trade Council, the United States Chamber of Commerce, and the Manufacturers' Export Association.⁷³ Representatives of other organizations frequently appear on the programs at the annual meetings, and League officials attend and speak before meetings of other associations. Some of the leading civil service reformers have also been interested in other reforms. Dorman B. Eaton, Charles J. Bonaparte, Everett P. Wheeler, and William Dudley Foulke were interested in municipal reform; Mr. Eaton was the author of a book on city government and Messrs. Bonaparte and Foulke were, at different periods, President of the National Municipal League.⁷⁴ Mr. Dana has been interested in ballot reform, and with Presidents Schurz, Gilman, Choate, and Eliot civil service reform was only one of many important questions

⁷²*Springfield* (Mass.) *Union*, August 10, 1922.

⁷³*Infra*, pp. 222, 161-168, 204.

⁷⁴The call for the First National Conference for Good City Government was signed by many men prominent in the civil service reform movement. See *Proceedings of the National Conference For Good City Government*, pp. 46-48 (1894).

to occupy their attention. Everett P. Wheeler was interested in tariff reform and municipal politics, and was President of the Association Opposed to Woman's Suffrage. With George William Curtis civil service reform, after slavery, was the absorbing issue of his life. These facts do not square absolutely with the statement that the reformers are "one-issue people" and unwilling to coöperate in other reforms. Undoubtedly it has been the leading issue with them, but they have not been so narrow and intolerant of other reforms as some critics have represented them to be.

OPPOSITION PROPAGANDA

It was not to be expected that an organization attacking an institution so strongly intrenched as the spoils system and defended by those who had a personal or political interest in its perpetuation, would escape a strong counter-propaganda by its opponents. Ridicule is always an effective weapon and it has been freely used by the opponents of reform. Reformers have been characterized as "holier-than-thous," "goody-goodies," "Miss Nancies," "dudes," "hypocrites," "eunuchs and sissiri of American politics," "canting prelates and Pharisees," "deputy-Democrats," "silk-stockings reformers," "cranks," "incurable theorists," "visionaries," "mugwumps," "a band of uplifters who hold national conventions in hotel bed rooms," "the super-pure and faithful," and "purificationists." The merit system has been sneered at as a "humbug," "a Chinese system," "dry rot," and characterized as "snivel service reform." The civil service is denounced as "an office holders' caste . . . an ossified service of superannuated barnacles," and "an incompetent, irresponsible, self-perpetuating and self extending bureaucracy."

One of the most scathing attacks upon the reformers was delivered by Senator Roscoe Conkling in a speech before the Republican State Convention at Rochester, N.Y., on September 26, 1877. Directing his remarks at Mr. George William Curtis, whom he referred to as the "Man Milliner," he asked:

Who are these men who, in newspapers and elsewhere, are cracking their whips over Republicans and playing school-master to the Republican party and its conscience and convictions? . . . Some of these worthies masquerade as reformers. Their vocation and ministry is to lament the sins of other people. Their stock in trade is rancid, canting, self-righteousness. They are wolves in sheep's clothing. Their real object is office and plunder. When Dr. Johnson defined patriotism as the last refuge of a scoundrel, he was unconscious of the then undeveloped capabilities and uses of the word "Reform."⁷⁵

Arguments of a serious kind against the merit system have come from two classes, the politicians who benefit from the perpetuation of the spoils system, and those who do not understand the nature and workings of the system. The objections most frequently advanced against the competitive system are the following: it was borrowed from England; it tends to set up a bureaucracy with a life tenure; it creates an aristocracy of office-holders; it protects the lazy and incompetent employee and there is no quick and effective way to rid the service of such employees; it keeps on the job workers who are not only unfit, but who are entirely out of sympathy with the policies and purposes of the head of the department; it does not provide employees as active and energetic as under political appointment; the system of examinations is "scholastic" and incapable of bringing out the abilities of the candidates; the spoils system is necessary for the vitality of political parties; and when a political party receives a mandate from the country to govern for two or four years, it should have the right to choose its own workers unhampered by civil service regulations.⁷⁶

The League, through its Field Department, answers these objections appearing in hostile newspapers and journals, wherever time permits. Often a lengthy reply, pointing out the fallacy of the argument, is sent to the editor with the request that he correct the errors in his statement. When

⁷⁵A. R. Conkling, *The Life and Letters of Roscoe Conkling*, pp. 540-541 (1889).

⁷⁶C. E. Merriam, *American Political Ideas*, pp. 276-277 (1920); Ray, *op. cit.*, p. 343.

Mr. Raymond Fosdick in his book, *American Police Systems*, made several statements reflecting seriously on the civil service systems found in police administration, Secretary Marsh took issue with Mr. Fosdick and answered his objections to civil service examinations in police administration.⁷⁷

One criticism which has been repeated on many occasions is that the League has been partisan in its activities. As good a civil service reformer as Senator Lodge, in a letter to the *Civil Service Record*, October 18, 1889, said: "During Mr. Cleveland's administration, all his shortcomings were glossed over and made light of, and all his protestations that he was a reformer were emphasized and cried up. Precisely the opposite course has been adopted by these persons and newspapers in regard to General Harrison."⁷⁸ Compare with this the following editorial from the contemporary press:

An organization purporting to have for its chief purpose the protection of the civil service from the spoilsman was notoriously silent when the Wilson administration was filling government positions with "deserving Democrats" but it became vociferous when the Harding administration undertakes to dislodge those same "deserving Democrats" in order to put efficient men in their places. It is a well known saying that orthodoxy is my doxy and heterodoxy is your doxy. Similarly, civil service reform is the process of filling the offices with your political friends and spoilsmanship is filling the offices with your political enemies.⁷⁹

Another editor complains: "The trouble with the Civil Service Reform folks is that they forget all else in their infatuation with the merit system."⁸⁰

No foe of the League has ever been able to impeach the personal integrity of the men carrying on the fight for the merit system. No league officers have ever been accused of corruption; there have been no open splits in the ranks of the reformers, no public quarrels ventilated in the press;

⁷⁷H. W. Marsh, "Civil Service and the Police," *National Municipal Review*, Vol. X, pp. 286-291 (1921).

⁷⁸*Civil Service Record*, Vol. IX, pp. 52-53 (1889).

⁷⁹*Portland (Ind.) Commercial Review*, May 12, 1922.

⁸⁰*Johnstown (Pa.) Tribune*, April 22, 1922.

no traitors to the cause. In these respects no reform organization can boast of a better record.

One may inquire whether the League has had any "personal" enemies apart from the foes of reform. Of course all opponents of reform are also opponents of the League. Among the outstanding critics of the reformers may be mentioned Senators Roscoe Conkling, of New York; A. P. Gorman, of Maryland; Z. B. Vance, of North Carolina; J. J. Ingalls, of Kansas; and Representatives C. H. Grosvenor, of Ohio; S. S. ("Sunset") Cox, of New York; and J. A. Hubbell, of Michigan. John Wanamaker of Philadelphia, Postmaster-General under Harrison, and J. S. Clarkson, First Assistant Postmaster-General under Harrison, are conspicuous among administrative officers who were the enemies of the League and its work.⁸¹

Opposition propaganda has not crushed the League. It has persisted in the face of great difficulties and discouragements, successfully meeting and overcoming all attacks. It would be a mistake, however, to believe that the enemies of reform have abandoned the fight. In Congress and in the administrative departments insidious attacks are periodically launched to break down or to evade the merit system.⁸² But this opposition is seldom open and outspoken. It is for the most part personal and private. This is splendid evidence of the progress reform has made among intelligent people, and is indicative of the grudging respect shown by its opponents. While not converted, the spoils-men proceed cautiously, always fearful of public condemnation of attacks on the merit system.⁸³

RESULTS OF PROPAGANDA

How effective has been the propaganda of the League? At times, in the past, it has been extremely effective. In the period from 1880 to 1885, when civil service laws were

⁸¹*Infra*, pp. 171-172.

⁸²*Infra*, pp. 171-175.

⁸³Ray, *op. cit.*, p. 344.

enacted in the National Government and in New York and Massachusetts, when a check was given to the practice of political assessments, and the tide was turned to Cleveland in 1884, civil service reform propaganda was undoubtedly a powerful instrument in molding public opinion. Probably at no other time has the reform been pushed with greater effectiveness or attracted more public interest. From 1885 to 1913, during nearly thirty years of patient watchfulness over the extension and enforcement of the national law and rules, League propaganda was responsible for the defeat of many attacks upon the merit system and for its gradual extension through different administrations. In this period of slow consolidation and extension there were fewer spectacular victories for reform, there was only one decided retrograde movement, and the reform progressed slowly but surely.

Since 1913 the propaganda of the League has been concerned principally with the further extension of the merit system in the national, state, and local governments, the defense of the competitive principle, and the improvement of personnel administration. The activities of the League in these fields will be considered in later chapters.

Among students of American politics there seems to be a conviction that the civil service reform movement has lost momentum in recent years. It is apparent, some say, that the issue does not awaken the popular enthusiasm that it did forty years, or even twenty years, ago, and that there is today no great awakened public interest on the subject of the merit system. For example, Herbert Croly says that "the agitation has drifted to the rear of the American political battle, and fails to excite either the enthusiasm, the enmity, or the interest that it did fifteen years ago."⁸⁴ Brooks concludes his discussion of the subject with this significant statement: "Finally, it is to be regretted that the agitation for civil service reform is being pushed with less

⁸⁴Herbert Croly, *The Promise of American Life*, pp. 334-335 (1914).

vigor and effectiveness than in the early militant days. It has made progress but lost headway.”⁸⁵

What is responsible for this loss of momentum, of headway? Croly insists that the civil service reformers have not been sufficiently thorough; they failed to see that competitive examinations alone would not destroy the evil of the spoils system. The competitive system prevented partisan influence in the appointments to minor offices, “but as long as the major offices were the gifts of the political machines, and as long as no attempt was made to perfect expert administrative organization as a necessary instrument of democracy, the agitation for civil service reform remained fundamentally sterile. It was sterile, because it was negative and timid, and because its supporters were content with their early successes and did not grow with the growing needs of their own agitation.”⁸⁶

There is still much truth in this criticism, although it was truer in 1914 than it is today. Since 1914 the League has waged an aggressive campaign to bring the higher administrative posts within the classified service and it has started to turn its attention to the problem of improvement of the efficiency of the public service. If the accomplishments of the League in this latter field are not so impressive, one must remember that it has had to devote most of its time and energy to securing legislation and appropriations, and to defending the competitive principle from all attacks. It has had very little opportunity to inaugurate and install plans for the improvement of administrative efficiency.

Furthermore, there are many factors over which the League has little control. There seems to be an idea that reform has been accomplished, that there is nothing more to be done, which is far from the truth. Reform is only a partial success. Reform is no longer so vigorously opposed as it used to be. The worst abuses have disappeared—the reformers do not have the talking points that they

⁸⁵Brooks, *op. cit.*, p. 542.

⁸⁶Herbert Croly, *Progressive Democracy*, pp. 8-9 (1914).

had in the 'seventies and 'eighties. The spoils-men, moreover, have become more cautious; they avoid open and flagrant violations of the law, sure to draw the fire of the reformers, and seek to gain their points by more subtle methods. Abuses in the administration of civil service laws in some jurisdictions, and its failure to destroy the power of the boss, have weakened the reform in the estimation of many. Today the merit idea has many other competitors for public favor, some of which, as proportional representation, the executive budget, and the city manager plan, are probably being pushed with more vigor than civil service reform. The lack of leaders, young and aggressive, is a great handicap to the cause. We must agree with Brooks that "one cannot help wishing for civil-service reform another champion as fervent and virile as young Roosevelt of the New York Assembly and United States Civil Service Commission days."⁸⁷

⁸⁷Brooks, *op. cit.*, p. 542.

CHAPTER V

EXTENSION OF THE MERIT SYSTEM

Through successive executive orders issued by different Presidents and through natural growth, the classified civil service of the United States had gradually increased, until, by the close of President Taft's Administration, it covered approximately two-thirds of the positions in the federal service.¹ But the merit system as it existed in 1913 had several limitations. In the first place, the distinction between political (policy determining) officers and non-political officers, which was recognized in the public service of many European countries, was not clearly drawn.² In the second place, the merit system did not extend to many of the higher administrative posts in the federal service, such as assistant secretaries of departments, heads of bureaus and services, and a number of important offices in the service outside of Washington, *e.g.*, first, second, and third class postmasters, collectors of customs and of internal revenue, United States district attorneys and marshals, and the principal offices in the mint and assay service, reclamation service, and immigration service. Their places were practically all non-political and should be filled by choice through merit or promotion.³ It is granted that purely political positions should stand outside of the merit system, but the number of such positions in any government is small. In England, in 1916, there were some fifty-five political offices in a civil service embracing more than eighty thou-

¹See Chap. III.

²A. W. Procter, *Principles of Public Personnel Administration*, pp. 14-16 (1921).

³Lewis Mayers, *The Federal Service*, chap. 4 (1922). For a recent survey of the situation with respect to bureau chiefs, see A. W. Macmahon, "Selection and Tenure of Bureau Chiefs in the National Administration of the United States," *American Political Science Review*, Vol. XX, pp. 548-582, 770-811 (1926).

sand non-political offices.⁴ In the third place, little progress had been made by the merit system in state and local governments. Compared to the federal service the state and local services were in their infancy.⁵

The extension of the merit system upward to include the higher administrative positions was in 1913, and is today one of the most important problems of the civil service. Since such positions are filled by the President with the advice and consent of the Senate they cannot be completely classified by executive order alone. Complete classification of such positions could be accomplished only by an act of Congress abrogating the "advice and consent of the Senate" rule, the four years' term, or other laws prescribing fixed terms and vesting the appointments in the President alone or in heads of departments. Even with the subordinate personnel under the competitive rules, the merit system could not achieve its full success as long as officers in charge of services were selected under the spoils system. Under this system many of the better class of men do not enter competition, or resign to go into more profitable private employment. The classification of the higher positions would open them to promotion, tend to make the public service a career, and would remove the entire service from the detrimental influence of politics.⁶

The movement to bring the higher administrative places within the classified service was first officially brought before Congress by President Taft in his annual message in December, 1910. The President recommended that all local officers under the Departments of the Treasury, Justice, Post Office,

⁴R. C. Brooks, *Political Parties and Electoral Problems*, pp. 541-542 (1923).

⁵Cf. Frederic Almy, "The Slow Progress of Civil Service Reform in New Territory," *Proceedings of the League*, 1906, pp. 137-144.

⁶J. A. McIlhenny, "The Merit System and the Higher Offices," *American Political Science Review*, Vol. XI, pp. 461-472 (1917); United States Civil Service Commission, *Annual Report*, Vol. XXXVIII, pp. xii-xiv (1921); S. W. Burt, "The Competitive Plan in the Filling of Offices of the Higher Grades," *Proceedings of the League*, 1899, pp. 51-59; Edward Cary, "The Standard of Merit in the Higher Offices," *Proceedings of the League*, 1901, pp. 63-67.

Interior, and Commerce and Labor should be placed upon a merit basis by the abolition of the Four Years' Law and Senatorial confirmation. He said: "Officers responsible for the policy of the administration and their immediate personal assistants or deputies should not be included within the classified service, but in my judgment public opinion has advanced to the point where it would support a bill providing a secure tenure during efficiency for all purely administrative officials."⁷ In his messages in 1911 and 1912 he renewed his recommendations for the classification of collectors of internal revenue, collectors of customs, postmasters of all four classes, immigration commissioners, and marshals.⁸ Bills were introduced into Congress to carry out the recommendations, but they attracted little attention. Under President Wilson, "the whole question may be said to have dropped from sight, except as regards the presidential postmasterships."⁹

PRESIDENTIAL POSTMASTERSHIPS

The problem of the classification of these offices has persisted through the administrations of Presidents Wilson, Harding, and Coolidge, and is among the insistent problems of the merit system today. We are not here concerned with the full story of the postmasters, admittedly an absorbing one, but only with the League's efforts to secure the classification of first, second, and third class postmasters.

The enactment of the civil service act in 1883 did not affect the method of selection of thousands of postmasters over the country. Fourth-class postmasters, those with an annual salary of less than \$1,000, were appointed by the Postmaster-General and those of the first, second, and third classes (presidential postmasters) were appointed by the President with the advice and consent of the Senate. The

⁷*Congressional Record*, 61st Cong., 3d sess., Vol. XLVI, p. 32 (1911).

⁸United States Civil Service Commission, *Annual Report*, Vol. XXVIII, p. 146 (1912); Vol. XXIX, pp. 195-201 (1913).

⁹Mayers, *op. cit.*, pp. 125-126.

League repeatedly pointed out the evils inherent in the spoils appointment of these officers, but not until 1908 was any progress made.¹⁰ In that year President Roosevelt by executive order classified the fourth-class postmasters in the fourteen states north of the Ohio River and east of the Mississippi, adding 15,488 places to the competitive system. President Taft extended the classification in 1912 to include all of the states.¹¹

These orders did not affect post offices of the presidential class, which still remained subject to political appointment. The classification of these positions was recommended periodically by the Civil Service Commission, by Postmaster-General Hitchcock in his annual report for 1910, and by President Taft six times in his messages to Congress in 1910, 1911, and 1912.¹²

In January, 1914, the Council of the League unanimously adopted the following motion:

That the Council of the National Civil Service Reform League authorizes and directs its committee on Congressional and Executive Action to undertake, on behalf of the League, an aggressive campaign to secure an act of Congress that will enable the postmasterships of the first, second and third classes to be included within the merit system.¹³

On June 10, 1914, President Dana of the League wrote to President Wilson calling his attention to the campaign of the League to secure the early classification of first, second, and third class post offices, and urging the adoption in the meantime of a policy of retaining in office all postmasters who had entered the department through competitive examinations and who had secured their appointments through promotion in the service. The following May the League

¹⁰*Cf.* R. H. Dana, "How to Take the Post-Offices out of Politics," *Proceedings of the League*, 1889, pp. 36-42; "The Post-Offices as Party Spoils," *Proceedings of the League*, 1896, pp. 59-65.

¹¹*Supra*, pp. 66, 69.

¹²United States Civil Service Commission, *Annual Report*, Vol. XXXVII, pp. viii-ix (1920).

¹³*Minutes of the Council*, January 23, 1914, p. 5.

wrote to the President and the Postmaster-General renewing the recommendations and pointing out two specific instances where persons who had risen from the ranks in the postal service had been appointed postmasters. The Postmaster-General replied that he was in accord with the recommendations of the League for the classification of presidential postmasters, but felt that it would be best to accomplish this gradually; that, pending legislation by Congress permitting the classification of all postmasters, it would not be practicable to put into effect the policy suggested by the League in the case of postmasters appointed by the President by and with the advice and consent of the Senate. He added: "In the nature of things the department must be guided in nominating persons to the President for appointment very largely by the preference of its duly constituted political advisers representing the communities interested."¹⁴

The report of the Council at the annual meeting in December, 1915, said:

Postmasters are subordinates of the postmaster general and are no more than subordinate officials in charge of the business management of their respective offices. There is no more reason that a Democratic postmaster should be removed on a change of administration to make way for a Republican than that a clerk should be removed for similar reasons. In England the only exempt position in the entire postal service is that of postmaster general. Under the present system in this country the first, second and third class postmasterships are part of the senatorial patronage. Under the merit system it would be possible to fill many of the postmasterships through promotion from the clerical force in the postoffice and the rest by the promotion of a postmaster from the smaller to a large office on a basis of efficiency and competitive promotion examination.¹⁵

Classification by act of Congress of the higher administrative officers in the Federal Government, particularly presidential postmasters, collectors of customs and of internal revenue, and United States marshals was placed first

¹⁴*Good Government*, Vol. XXXII, pp. 57-58 (1915).

¹⁵*Proceedings of the League*, 1915, p. 31.

on the program for enlarged activities of the League adopted by the Council in January, 1916.¹⁶

Late in September, 1916, the League addressed a letter to the two leading candidates for the Presidency asking them if they favored the passage of legislation extending the merit system to include postmasters of the first, second, and third classes. On October 23 Governor Hughes informed the League that he favored such legislation. President Wilson replied on November 6 that proposals to enact legislation which would permit appointments to all postmasterships through competitive examination had his "hearty approval" and that he was "thoroughly in accord with the recommendations of the Postmaster General" regarding the extension of the classified service to include presidential postmasters.¹⁷ The League also presented its program to congressional candidates in nine states—New York, New Jersey, Ohio, Indiana, Michigan, Wisconsin, Maryland, Minnesota, and Pennsylvania. Only one candidate in these nine states opposed the proposed legislation and a number of sitting Congressmen declared in favor of its enactment.¹⁸ Encouraged by its success with the presidential candidates and candidates for Congress, the Council of the League announced at the annual meeting on December 5, 1916, that it would undertake an immediate intensive campaign in Congress for the legislation desired and to that end would organize local committees in every congressional district pledged to develop popular support for the post office campaign. The coöperation of commercial organizations, labor unions, and other business and civic bodies was invited.

¹⁶*Minutes of the Council, January 28, 1916*, p. 6.

¹⁷*Good Government*, Vol. XXXIII, pp. 95, 100 (1916). Postmaster-General Burleson recommended in 1914 that third-class postmasters should be appointed by the Postmaster-General, in 1915 that second and third-class postmasters should be so appointed, and in 1916 he recommended the classification by legislation of all presidential postmasters. Cf. Post Office Department, *Annual Report*, 1914, p. 69; 1915, pp. 77-78; 1916, p. 54.

¹⁸*Minutes of the Council, November 10, 1916*, p. 4.

Ten million dollars was the estimated savings from this reform.¹⁹ Postmaster-General Burleson, addressing the annual meeting of the League, declared himself in favor not only of the classification of first, second, and third class postmasters, but of every position in the Post Office Department with the exception of the Postmaster-General himself.²⁰

On March 31, 1917, President Wilson issued an executive order providing that henceforth when vacancies should occur in first, second, and third class postmasterships by reason of "death, resignation, removal" or when the good of the service required that a change should be made, they should be filled by the nominations of the highest eligible obtained by a civil service examination.²¹ The League praised the order as the next best thing to classification by statute, commending particularly the requirement of the appointment of the *first* eligible. In one respect the order fell short of perfection: it did not apply to vacancies caused by the expiration of terms, and the League suggested that the order should be extended to cover such vacancies.²² At the annual meeting of the League on April 11, 1918, the President and Postmaster-General Burleson were commended for the order, and legislation was requested in order to strengthen and supplement this action and to put definitely under the merit system first, second, and third class postmasters and other higher administrative officers.²³ This attitude was maintained by the League during the remainder of President Wilson's term.

In the autumn of 1919, the League, understanding that changes in the order of March 31, 1917, were under consideration by the President, wrote to him urging that no change should be made in the order affecting the appointment of the first person on the eligible list and presenting

¹⁹*Good Government*, Vol. XXXIV, p. 1 (1917).

²⁰*Ibid.*, p. 4.

²¹United States Civil Service Commission, *Annual Report*, Vol. XXXIV, p. 119 (1917).

²²*Good Government*, Vol. XXXIV, pp. 23-24, 26 (1917).

²³*Ibid.*, Vol. XXXV, pp. 71-74 (1918).

arguments against the promotion to the office of postmaster of an employee within the department without examination.²⁴

On October 8, 1920, the President issued an executive order amending the order of March 31, 1917, providing that a vacancy in a presidential postmastership might be filled by the nomination "of some person within the competitive classified civil service who has the required qualifications," without competitive examination. No other change was made in the order.²⁵

In the presidential campaign of 1920 declarations of sympathy with the policies of the League were received from the candidates of both the major parties. Particular concern was felt by the League officials over rumors that the Republicans, if successful, would overthrow the system of examinations established under the executive order of March 31, 1917. The matter was called to the attention of Senator Harding in a memorandum from the League's office, August 18, 1920, pointing out the improvements made as a result of the order and urging the maintenance of the order until legislation could be secured to place presidential postmasters in the competitive classified service. After the election, on December 4, 1920, the League again wrote to President-elect Harding urging the retention of the competitive examination system for the selection of postmasters.²⁶

Soon after the new administration was established in office, a conference was held between officers of the League, the Postmaster-General, leading members of Congress, and the Civil Service Commission on April 8, 1921. The League again urged the continuance of the competitive principle in appointments to postmasterships, the appointment of the person at the head of the list, and the modification of the order of March 31, 1917, so as to provide that vacancies

²⁴*Ibid.*, Vol. XXXVI, p. 157 (1919).

²⁵United States Civil Service Commission, *Annual Report*, Vol. XXXVII, pp. 97-98 (1920).

²⁶*Good Government*, Vol. XXXVII, pp. 177-179 (1920).

due to expiration of term should be filled by competitive examination. A second conference was held on April 13 with President Harding, Senator Lodge, and President Dana of the League attending, Mr. Dana arguing for the appointment from the head of the list for postmasters in every case.²⁷

This President Harding was unwilling to agree to, and on May 10, 1921, he issued an executive order changing the order of President Wilson providing that selection might be made from among the three highest on the eligible lists and providing further that the examination system should apply in cases of all vacancies, whether by death, resignation, removal or expiration of term. In a statement issued to the press at the time the order was promulgated the President said: "Obviously these offices are business agencies of the Government in legal purpose and should become so in fact. The only certain ultimate way to bring this about is to classify first, second, and third class postmasters. This will require an act of Congress. It is a step forward, measured by the requirements of progress, and is one which I hope will be made. Under existing laws the Executive has no power to require that these offices be placed in the classified service."²⁸ On May 18, 1921, the Executive Committee of the League issued a statement expressing satisfaction that the President and Postmaster-General had resisted the pressure to return to the spoils system entirely by the repeal of the Wilson order. Expressing disappointment that the President had modified the Wilson order so as to allow the appointment of one out of three on the eligible list, the statement pointed out that

Experience has shown that the appointment of the first name on the eligible list has worked well and to the advantage of the service, and has done away very largely with political manipulation. Investigation has shown that as a result of nearly 2,000

²⁷Minutes of the Council, April 13, 1921, p. 1; Proceedings of the League, November 16, 1921, pp. 8-9.

²⁸United States Civil Service Commission, *Annual Report*, Vol. XXXVIII, pp. 118-119 (1921).

examinations in the northern states over 800 Republicans were chosen and only 600 Democrats under a Democratic administration. . . . The League fears that the announcement that the selection will be made from the first three may be interpreted by possible candidates as notification that only Republicans with political influence will be appointed, with the result that no Democrats will make the effort, and that many Republicans not active in politics will also be deterred. The League therefore hopes and urges that the Postmaster General will adopt as a general policy the selection of the first name for submission to the President.²⁹

As predicted by the League, the influence of politics quickly made its appearance. Complaints throughout the country were made that the Post Office Department was seeking and acting upon the recommendation of members of Congress with regard to making selections of one out of the three highest.³⁰ In October President Dana appointed a special Committee on Appointments of First, Second, and Third Class Postmasters to investigate the administration of the executive order of May 10, 1921. This committee consisted of William Dudley Foulke, of Richmond, Ind., chairman; Walter H. Buck, of Baltimore, Md.; and Lewis H. Van Dusen, of Philadelphia.³¹

A preliminary report of the Committee was made at the annual meeting in Detroit on November 16, 1921. A conference with the Postmaster-General on October 6 was described in which Mr. Hays announced his firm belief in the merit principle and his intention to apply it in the Post Office Department. Questionnaires had been sent out in all cases where the head of the list had been passed over, being sent to the new appointee and to the head of the list who was passed over. Men who had quit the service were asked for the cause and method of the change.³² Following the annual meeting Mr. Henry M. Waite of New York City was added to the Committee.

²⁹*Good Government*, Vol. XXXVIII, pp. 57-63. (1921).

³⁰*Ibid.*, pp. 74-76.

³¹*Minutes of the Council*, October 4, 1921, p. 2.

³²*Proceedings of the League*, November 16, 1921, pp. 78-82.

Four reports of the special Committee on Appointments of First, Second, and Third Class Postmasters were issued, and published together in 1922.³³ These reports were based on investigation of appointments in twenty states in all parts of the country in which the appointments had been completed from May 10, 1921, to January 17, 1922. In the first report issued on April 19, 1922, the general situation regarding the administration of President Wilson's order of March 31, 1917, and President Harding's order of May 10, 1921, was reviewed, and the fear of the League that evil results would follow from the new order of President Harding was recalled. Commenting on the sincere efforts of Postmaster-General Hays to enforce the merit system and the unrestrained glee of certain Congressmen at his resignation, the report concluded:

But the order of May 10 was a distinct concession to the demands of Congressmen for spoils. It was a compromise believed to be the best thing attainable, not the best thing to be desired. . . .

The remedy for such abuses is to be found—first: in the immediate restoration by executive order of the rule requiring that the highest man on the list be appointed until action may be secured in Congress to bring these positions within the competitive classified civil service; second, the classification by law of all these offices whereby section 10 of the civil service act prohibiting recommendations by Congressmen would automatically apply; third, the issuance of a subsequent executive order requiring that in every case the man at the head of the list should be appointed. . . .³⁴

The second report of the Committee, issued May 1, 1922, dealt with the recommendations of Congressmen and Senators and showed that politics actually determined the selection of one of the three highest eligibles. This happened because the Post Office Department invited the recommendations of members of Congress as to the eligibles

³³*Presidential Postmasters: Four Reports of the Special Committee of the National Civil Service Reform League on Appointments of 1st, 2nd, and 3rd Class Postmasters in 1921* (1922).

³⁴*Ibid.*, pp. 3-12.

after the competitive examination had been held. This was not technically a violation of Section 10 of the Civil Service Law, as postmasters were not legally within the classified service. "The only possible advantage of this system," said the Committee, "is that in some cases it 'keeps the dunces out.' In other respects it is as bad as avowedly spoils appointments."³⁵ In the third report, issued May 15, 1922, further evidence was presented that Senators and Representatives were naming the appointee from among the highest three eligibles, principally for political reasons and often for their personal advantage. "As a result of these inquiries, we find that the appointments of Presidential postmasters under the 'rule of three,' as prescribed by President Harding, are confined almost exclusively to Republicans; that they are made on the recommendations of Republican Congressmen who depend on the local Republican organizations. . . . Thus in all these cases he [the President] kept out the most incompetent, but within the highest three eligibles political patronage is still controlling."³⁶

On June 5, 1922, the fourth report of the Committee was issued. This dealt with the political efforts made to secure the appointment of a particular individual as postmaster at Dayton, Ohio. Each report concluded with a renewal of the recommendation made in the first report that the rule of one should be restored, that presidential postmasters should be put in the classified service by act of Congress, and that then an executive order should require the appointment of the highest man.³⁷

In answer to the criticism of the League and of applicants for postmasterships who believed they had been discriminated against because of their political affiliations, Postmaster-General Work in a letter of June 29, 1922, to Mr. George B. Christian, Jr., Secretary to the President, defended the administration of the executive order of May

³⁵ *Ibid.*, pp. 13-21.

³⁶ *Ibid.*, pp. 22-31.

³⁷ *Ibid.*, pp. 32-39.

10, 1921. Dr. Work defended the rule of three as "the very genus of the civil service practice," and pointed out that presidential postmasters were not legally under the civil service at all, but that the President had voluntarily asked the Civil Service Commission to advise him as to the best three candidates. "To say that there is no politics in Presidential Postmaster appointments would not be true. Other things being equal, we send to the President the name of a Republican, if there is one on the list. If things are unequal and in favor of the Democrat, in our opinion, from a service standpoint, we often send in the name of the Democrat, many of whom have been appointed, particularly in the Southern states."

Replying to the statements of the Postmaster-General, Mr. Foulke, Acting President of the League, wrote to him on September 2, 1922. Mr. Foulke pointed out that the Postmaster-General in seeking the recommendations of Senators and Representatives for postmastership appointments was violating the clearly announced intention of the President that the principles underlying the civil service law should be applied to the appointment of presidential postmasters. Mr. Foulke also called the attention of the Postmaster-General to the fact that, if the places were actually classified by law, his practice of seeking the recommendation of Congressmen and of selecting men because they were Republicans would constitute a violation of the federal statutes.³⁸

Just before his retirement as Postmaster-General, in March, 1923, Dr. Work wrote to President Harding that in his opinion the present method of appointing postmasters should be abandoned. He said:

The present plan, by which the Civil Service Commission selects three names for a postmaster appointed by the President, entirely ignores the practical business principle of expert and

³⁸*Good Government*, Vol. XXXIX, pp. 121-126 (1922). Section 10 of the Civil Service Law forbids any recommendation of an applicant to be given by a member of Congress except as to the character or residence of the applicant.

intelligent selection. I earnestly recommend that the Post Office Department alone be charged with the responsibility of recommending its postmasters for nomination by the President. The proposed change in the appointive method of postmasters would enable the Department to give genuine practical effect to the basic Civil Service theory by making possible the selection of qualified business men.

President Dana of the League replied to this statement of Postmaster-General Work in a letter to President Harding on March 8, 1923. Mr. Dana appealed to the President to change the executive order so that the highest name on the eligible list should be chosen in every case, and urged that the jurisdiction of the Civil Service Commission over examinations for postmasters should be continued.³⁹

Immediately after Mr. Harry S. New was sworn in as Postmaster-General succeeding Dr. Work, he was credited in Washington newspaper dispatches of April 24 with having said in a letter to Senator Watson of Indiana that as a general policy it was his purpose to consult "the former members of Congress who were defeated last fall with reference to post office appointments in their respective districts," and that he had adopted this policy "on the theory that the members probably incurred obligations during the campaign."

The Postmaster-General denied that he was correctly quoted. Nevertheless, Mr. Dana pointed out in a letter to Mr. New that such a policy seemed to be thoroughly in accord with a statement contained in a letter of April 12, 1922, to the Secretary of the League, in which he said:

I don't believe it (the civil service law) should be applied to postmasters, for I fully believe that the post office in the ordinary county-seat town is just such a business as is successfully conducted by the ordinary competent business man of such a town, and that Republicans and Democrats are clearly entitled to be favorably regarded when appointments to these places are to be made. I certainly would not apply the civil service law to those in responsible positions under an administration. An ad-

³⁹*Good Government*, Vol. XL, pp. 40-42 (1923).

ministration is entitled to the loyalty of its employees and it is more apt to get it from members of its own than from those of an opposing party.

Mr. Dana warned the Postmaster-General that he was proceeding directly in the face of the announced policy of the President himself and that he was making it practically impossible to place the examination system upon a footing where it might have the respect of any citizen, and that it could only result in turning the whole system into a farce.⁴⁰

Soon after the beginning of President Coolidge's Administration a conference was held at the White House between the President and representatives of the League, including President Foulke, ex-President Dana, and Secretary Marsh. Mr. W. C. Deming, President of the United States Civil Service Commission, was also present. The League representatives recommended to the President that executive orders be issued to provide for the appointment in every case of the first man on the eligible list as presidential postmaster, fourth-class postmaster, and rural carrier, and the extension of the classified service to include positions now exempt, such as deputy collectors of internal revenue, deputy United States marshals, employees of the Shipping Board, the Veterans' Bureau, and the Prohibition Unit.⁴¹

In his first annual message to Congress on December 6, 1923, President Coolidge said:

The maintenance and extension of the classified civil service is exceedingly important. There are nearly 550,000 persons in the executive civil service drawing about \$700,000,000 of yearly compensation. Four-fifths of these are in the classified service. This method of selection of the employees of the United States is especially desirable for the Post Office Department. The Civil Service Commission has recommended that Postmasters at first, second, and third class offices be classified. Such action, accompanied by a repeal of the four-year term of office, would undoubtedly be an improvement. I also recommend that the field force for prohibition enforcement be brought within the

⁴⁰*Ibid.*, pp. 49-52.

⁴¹*Ibid.*, pp. 133-135.

classified civil service without covering in the present membership. The best method for selecting public servants is the merit system.⁴²

Following the recommendation of President Coolidge, a bill to include presidential postmasters in the competitive classified civil service was introduced into the Senate by Senator Frazier of North Dakota. The League appealed to friends of the merit system to support the bill.⁴³

In the platform adopted by the Republican Party in convention at Cleveland, June 10, 1924, the following civil service plank was adopted:

We favor the classification of postmasters in first, second and third class post offices and the placing of the prohibition enforcement field forces within the classified civil service without necessarily incorporating the present personnel.⁴⁴

President Coolidge was asked, in a letter from the League on June 23, 1924, to end the spoils system in the Post Office Department. After reviewing the situation which had developed in the postal service due to the policy of the Department of seeking and acting upon the recommendations of Republican politicians in making appointments of postmasters, and calling his attention to a memorandum of cases of improper appointments and removals investigated by the Indiana Anti-Spoils League, the letter concluded:

Will you not provide, either by executive order or otherwise, that, at least with respect to fourth class postmasters and rural carriers, *the head of the list shall be appointed in every case*, thereby eliminating political selection, and will you not require the Postmaster General to refrain from soliciting or acting upon recommendations or information at the hands of Congressmen, ex-Congressmen and other political authorities in regard to appointments which according to law have been removed from all political manipulation.⁴⁵

⁴²*Congressional Record*, 68th Cong., 1st sess., Vol. LXV, p. 98 (1924).

⁴³*Field Department Bulletin*, Vol. I, no. 1, p. 2 (1924).

⁴⁴K. H. Porter, *National Party Platforms*, p. 500 (1924).

⁴⁵*Good Government*, Vol. XLI, pp. 134-135 (1924).

On December 1, 1924, Postmaster-General New published his annual report to the President, in which he suggested that legislation be enacted to permit the Postmaster-General to appoint third class postmasters. Acting President Ordway of the League wrote to Postmaster-General New reminding him of his expression of approval of the Frazier bill for the competitive classification of all postmasters made in a letter of February 12, 1924, to the chairman of the Senate Committee on Post Offices and Post Roads. Pending enactment of this legislation he was urged to change without further delay the practice of consulting Congressmen on postmaster appointments.⁴⁶

In his annual message to Congress on December 3, 1924, President Coolidge endorsed the merit system in the following paragraph:

The merit system has long been recognized as the correct basis for employment in our civil service. I believe that first, second and third class postmasters, and without covering in the present membership the field force of prohibition enforcement, should be brought within the classified service by statute law. Otherwise the Executive order of one administration is changed by the Executive order of another administration, and little real progress is made. Whatever its defects, the merit system is certainly to be preferred to the spoils system.⁴⁷

Praise for the message of the President and condemnation of the practice of the Post Office Department in seeking and acting upon the recommendations of members of Congress in appointments for postmaster and rural carrier were recorded in the resolutions adopted at the annual meeting of the League, December 16, 1924.⁴⁸

At a meeting of the Council of the League in October, 1925, Mr. Dana reported that he had had correspondence with President Coolidge with reference to the appointment of postmasters. President Coolidge did not think it wise

⁴⁶*Ibid.*, pp. 177-179.

⁴⁷*Congressional Record*, 68th Cong., 2d sess., Vol. LXVI, p. 54 (1925).

⁴⁸*Proceedings of the League*, 1924, pp. 4, 42.

to issue an executive order requiring the appointment in all cases of the highest man on the list, but that the rule of three should be applied to postmaster appointments in the same manner as other employees of the Government. The Council requested Mr. Dana to explain to the President the difference in the appointment of postmasters and other civil service employees.⁴⁹

President Coolidge again advocated an extension of the merit system to include collectors of customs, collectors of internal revenue, postmasters, and prohibition enforcement agents in his annual message to Congress on December 8, 1925.⁵⁰

Three bills to put into the classified civil service first, second, and third class postmasters were introduced at the regular session of the Sixty-ninth Congress. The Secretary of the League attended the hearing before the Civil Service Committee of the House on January 26, 1926, and urged the passage of this type of legislation, to be followed by an executive order requiring the appointment of the person standing highest upon the eligible list.⁵¹ No progress was made on the bills to bring postmasters under the merit system at either the long or short session of the Sixty-ninth Congress.⁵²

Recently the League has undertaken to inquire of Congressmen how they look upon their duties involved in the political selection of postmasters and rural carriers. They were asked in letters from the League whether they believed that the best interests of the postal service were served by their participation in the selection of postmasters and rural carriers.⁵³ At the date of the annual meeting on May 11, 1927, the number of replies received did not warrant the League in coming to any conclusion. "It is appar-

⁴⁹Minutes of the Council, October 28, 1925, pp. 4-5, 7.

⁵⁰Congressional Record, 69th Cong., 1st sess., Vol. LXVII, pp. 463-464 (1926).

⁵¹Good Government, Vol. XLIII, pp. 9-14 (1926).

⁵²Ibid., Vol. XLIV, p. 10 (1927).

⁵³Ibid., Vol. XLIII, pp. 73-76 (1926).

ent, however," said the report of the Council, "that a considerable number of the members of Congress agree with the stand taken by Senator Bingham . . . that the employees of the government should directly reflect the political complexion of the administration in power."⁵⁴

This attitude of members of Congress explains why the principle of classification, which has been approved and recommended by the League, the Civil Service Commission, several Postmasters-General, and by Presidents Taft, Wilson, Harding, and Coolidge, has not been accepted by Congress. Congress clings tenaciously to these small remnants of its traditional stronghold and is not inclined to surrender positions so vital to the local and national machines as postmasters.

This same surviving influence of the spoils tradition has blocked all efforts to bring into the classified service other higher administrative positions now filled by the President and the Senate, as assistant secretaries of the departments, collectors of customs and of internal revenue, and United States marshals.

PROHIBITION ENFORCEMENT AGENTS

Another battle waged with all the weapons at its command has been the effort made by the League to secure the classification by law of the prohibition enforcement agents left unclassified by the prohibition bill of 1919.

When information came to the office of the League in the fall of 1919 that Congress proposed to exempt the employees of the prohibition unit from the provisions of the civil service law, the Assistant Secretary of the League went to Washington and called upon Mr. Wayne B. Wheeler, Legislative Counsel of the Anti-Saloon League and Representative Volstead, author of the bill. Mr. Wheeler said that he was not convinced that civil service examinations would be practicable, although the successful administration of the Anti-Narcotic Bureau was cited to him. He did nothing to

⁵⁴*Proceedings of the League*, 1927, p. 14.

support the League in getting the exemption clause stricken out. Mr. Volstead frankly announced his opposition to the civil service system as a whole, and condemned civil service examinations as failing to secure qualified persons. It was pointed out to Senators that the Civil Service Commission had certified to the Senate that the civil service act and rules were sufficiently flexible completely to meet the needs of the service without making any provision in the bill either for the appointments under the civil service rules or for their exclusion from such rules. A letter was addressed to the Secretary of the Treasury calling his attention to the necessity of efficient administration of the law and asking his coöperation in securing the amendment of the bill in conference committee.⁵⁵

Despite all the efforts of the League officials the prohibition bill passed Congress and was sent to the President with the inclusion of the clause exempting from the jurisdiction of the Civil Service Commission persons authorized to issue permits, and agents and inspectors in the field service. Immediately the President of the League, Mr. Dana, and the Chairman of the Council, Mr. Kimball, asked President Wilson to disapprove the bill. In a statement issued to the press the League said:

The country should appreciate all that this proposal means. It means that the enforcement of the prohibition act will be placed in the hands of political employes of which the result—if we may reckon by past experience—will be incompetency, frequently favoritism, and occasionally blackmail. Political appointees will force the appointment of unnecessary employes. . . .

No matter how strongly the Commissioner of Internal Revenue and the Attorney General may seek to appoint competent employes, if the bars are down, and this bill does let down the bars erected by the civil service law, the patronage brokers will demand their rights.

The press generally supported the position of the League, and the request for a veto was given wide publicity. President Wilson vetoed the measure, but his veto message made

⁵⁵*Proceedings of the League*, 1923, p. 22; *Good Government*, Vol. XXXVI, pp. 138-139 (1919).

no reference to the civil service provision. Congress promptly repassed the bill over the executive veto.⁵⁶

Speaking at the annual meeting of the League on February 26, 1920, Mr. Dana denounced the exemption rider and the failure of the Anti-Saloon League to coöperate in opposing it.

It creates a political, partisan force, sure, as long experience shows, to be incompetent, ineffective, blind-eyed, and black-mailing.

In this particular case Congress is not alone, however, in its responsibility. The Anti-Saloon League was appealed to. Its officers were seen by our officers. The danger was shown to them, but they "cared for none of these things." They felt that the spoils provision would help pass their bill and to pass their bill was all they wanted, regardless of its being a gross violation of party pledges, high moral and civic principles and sure to result in ineffective enforcement.⁵⁷

As predicted by the League, the administration of the prohibition unit under the spoils system resulted in the appointment of persons with criminal records and inefficient and dishonest men and women as prohibition enforcement agents. Every available means was used by the League to give publicity to the character of the agents appointed under the spoils system.⁵⁸

At the instance of the League bills were introduced in both houses of Congress in January, 1921, to place all Government employees engaged in the enforcement of national prohibition in the classified civil service, providing that incumbents of positions covered by the act must successfully pass open competitive examinations within three months from the passage of the act in order to retain their positions.⁵⁹ The officials of the Anti-Saloon League finally agreed that the prohibition employees should be included

⁵⁶ *Good Government*, Vol. XXXVI, pp. 181-182 (1919); 41 Stat. at L. 319 (1919).

⁵⁷ *Proceedings of the League*, 1920, pp. 43-44.

⁵⁸ *Good Government*, Vol. XXXVII, pp. 48, 61, 110, 134, 172 (1920); *Current History*, Vol. XIX, pp. 368-374 (1923).

⁵⁹ *Good Government*, Vol. XXXVIII, pp. 3-4 (1921).

in the classified service, but they insisted that (1) lack of prior experience in investigating crime should not disqualify applicants otherwise qualified, and (2) the Prohibition Commissioner should be ex-officio a member of the committee to prepare the examination questions and pass on the qualifications of the applicants in the oral examinations. These amendments the League refused to accept, pointing out that the best evidence of a man's qualifications is his past experience and that it would be breaking all precedents to give the Prohibition Commissioner an official standing on the examining board.⁶⁰

At the annual meeting of the League in December, 1922, the report of the Council noted the continuance of scandals in the prohibition service. Speaking before this meeting Mr. Foulke severely criticised the Prohibition Enforcement Bureau and the Anti-Saloon League.⁶¹ He defined the Enforcement Bureau as not only "an educational institution for the instruction of bootleggers at government expense," but also an institution for the education of the "whole people in lawbreaking, intemperance and corruption, leading to the general encouragement of every kind of vice and crime." Of the Anti-Saloon League Mr. Foulke said:

I here accuse the Anti-Saloon League that in permitting, without a protest, the Enforcement Bureau to become and remain the spoils of degenerate political plunderers, they have themselves been guilty of an immoral and wicked course. They have betrayed the cause they espouse by discrediting its agents, and they deserve the chastisement and public reprobation visited by the late election upon their most reprehensible line of conduct in New York, New Jersey, Massachusetts, Illinois, and elsewhere in the late election.⁶²

⁶⁰*Proceedings of the League*, April 14, 1921, pp. 8-9.

⁶¹In his addresses Mr. Foulke arraigned the agents of the Volstead Act for "abominable corruption and inefficiency," and denounced the spoilsman in the Enforcement Bureau as "miscreants," a "corrupt gang," "a set of depraved political officials appointed under the spoils system," and "as precious a set of unmitigated scoundrels as ever trod the earth."

⁶²*Proceedings of the League*, 1922, pp. 30-33.

In response to the criticism of Mr. Foulke, Mr. Wayne B. Wheeler, Counsel of the Anti-Saloon League, stated to the meeting that his organization was not opposed to putting prohibition agents under civil service, but that it was impossible to secure civil service except for the clerical force in the original bill. He defended the prohibition agents, saying that most of them were "men of character and ability and efficiency." Where Senators and party leaders were friendly, good agents were secured, but in the states where these leaders were unfriendly, inefficient and sometimes corrupt men had been appointed. He urged coöperation in the passage of a civil service measure even though it would not be possible to get a perfect bill.⁶³

The Secretary of the Anti-Saloon League, Mr. S. E. Nicholson, also replied by letter to the attack made by Mr. Foulke for the failure of his organization to assist in the classification of prohibition agents at the time of the passage of the Volstead Act. He declared Mr. Foulke's attack was unwarranted and an unfair presentation of the situation. "At the time the Volstead law was passed, neither the Anti-Saloon League nor any other agency nor all combined, could have gotten into that law a civil service provision, and for the League to have forced the issue would have been to jeopardize the passage of the enforcement bill." Replying to this statement Mr. Foulke said:

That means that you bought the bill with Congressional patronage and paid for it not with your own money, but far worse, with offices paid for out of taxes levied upon the people. I do not at all suppose you understood the immorality of that act, but in any reasonable system of ethics it was far more indefensible than opposing the civil service law.

Mr. Foulke also bitterly criticised a bill in Congress supported by the Anti-Saloon League which put prohibition agents and the field service under civil service rules without further examination.⁶⁴

⁶³*Ibid.*, pp. 35-36.

⁶⁴*Good Government*, Vol. XL, pp. 11-12 (1923).

The attitude of the League toward pending legislation to classify prohibition agents, which has been adhered to throughout the controversy, was expressed in a resolution of the Council adopted on December 7, 1922, as follows:

The Council of the League approves of and commends the pending bill (H.R. 6045, S. 1376) providing for a complete classification of the service created under the Prohibition Law, so that the Merit System of appointment and promotion will cover that entire service and all employes now in the service will be subjected to tests of fitness. This will tend to improve and strengthen the enforcement of the law and put an end to existing evils and scandals.

We respectfully but earnestly protest against and repudiate any measures proposing to cover into the classified system any part of the existing force or to classify only a part of the prohibition service, particularly if it applies to the lower branches of the service and leaves the higher positions under the disastrous patronage system. This would tend, under the special conditions of this service, to discredit the merit system and would lead to a continuance of serious evils and a perpetuation of scandals.⁶⁵

On December 13, 1922, Mr. Dana wrote to President Harding asking his support to put the prohibition service under the civil service law. In his reply on February 2, 1923, the President said: "I am not yet convinced that this is the wisest step to take to promote efficient service. The experience has been that the employees in this work require summary removal in almost numberless cases and it would be very embarrassing to be obliged to submit charges and establish in each case misconduct in office." In reply to the President's letter Mr. Dana, on February 10, pointed out to the President that under the existing law summary removal is extremely difficult, as Congressmen really appoint and their consent is necessary to removal. On the other hand, removal of employees under the civil service rules can be made for other causes than misconduct in office, for any cause such as will promote the efficiency of the service. The appointing officer is the sole judge of the sufficiency of the cause.⁶⁶

⁶⁵Minutes of the Council, December 7, 1922, p. 2.

⁶⁶Good Government, Vol. XL, pp. 26-27 (1923).

By direction of the Council of the League at its meeting in New York on October 16, 1923, a letter was sent to President Coolidge urging him in any recommendations made to Congress in regard to the classification of the Prohibition Enforcement Service to provide that all officials, high and low, except the Commissioner, should be included and that present officials should have to take competitive examinations to retain their positions.⁶⁷ In his message to Congress on December 6, 1923, President Coolidge said: "I also recommend that the field force for prohibition enforcement be brought within the classified civil service without covering in the present membership."⁶⁸

Proof that the constant propaganda of the League was bearing fruit may be seen in the declaration of the Executive Committee of the Anti-Saloon League in July, 1923, that "Federal Prohibition Agents should be placed under civil service and retained in office not because of political qualifications but because of fitness for their task."⁶⁹ And Mr. Wheeler stated in a communication in the *Outlook* of October 24 that he was in favor of the classification of prohibition agents, as were practically all of the Anti-Saloon League leaders. He insisted that his organization was willing to accept a partial application of the merit system, if that was all that it could get, and said that the civil service reformers were hurting the cause of civil service and of prohibition by insistence on a perfect law and by the denunciation of the prohibition agents and the characterization of prohibition as a failure.⁷⁰

In February, 1924, Mr. Foulke, President of the League, appeared before the House Committee on Reform in the Civil Service in support of the Tinkham bill, which would bring within the competitive classified service the entire force of prohibition enforcement agents without covering

⁶⁷*Ibid.*, pp. 166-167.

⁶⁸*Supra*, pp. 127-128.

⁶⁹*Good Government*, Vol. XL, p. 117 (1923).

⁷⁰*Outlook*, Vol. CXXXV, pp. 319-321 (1923). See also W. B. Wheeler, "Prohibition Enforcement under Civil Service," *Current History*, Vol. XIX, pp. 847-849 (1924).

in the existing incumbents. The League opposed the bill introduced by Congressman Louis C. Cramton providing for the establishment of the Prohibition Bureau as a distinct and separate bureau in the Treasury Department and placing in the classified civil service the force of employees in the Prohibition Bureau, with certain exceptions. Protest was made to the Judiciary Committee against the exceptions made in the bill and the United States Civil Service Commission suggested certain specific changes, which were accepted by the author of the bill. The League supported the Cramton bill as amended and the Anti-Saloon League was also behind the measure, which passed the House before the end of the session.⁷¹

President Coolidge again recommended the classification of the field force for prohibition enforcement without covering in the present membership, in his message to Congress, on December 3, 1924.⁷²

The subsequent history of the legislative attempts to classify the prohibition agents may be briefly summarized. The Cramton bill, recommitted to the Senate Committee on Judiciary in December, 1924, was lost in a filibuster in the Senate in March, 1925.⁷³ On February 2, 1926, the Secretary of the League appeared before the House Committee on Reform in the Civil Service in support of two bills, by Mr. Cramton and Mr. Tinkham, providing for the classification of prohibition agents. The Cramton bill, endorsed by the League, passed the House on March 29, 1926. At about the same time a bill was introduced in the House by Representative Green creating a Bureau of Customs and a Bureau of Prohibition, both in the Treasury Department. The bill was approved by Secretary Mellon and the Anti-Saloon League. An amendment was accepted by the Ways and Means Committee which provided that employees in the new Prohibition Bureau should be subject to the civil

⁷¹*Good Government*, Vol. XLI, pp. 55-59, 81-82, 105 (1924).

⁷²*Ibid.*, p. 177.

⁷³*Field Department Bulletin*, Vol. I, no. 8, p. 3 (1924) and Vol. I, no. 11, p. 3 (1925).

service act.⁷⁴ Both the Cramton and Green bills were passed by the House and reached the Senate calendar in May, 1926.

The Green bill (Reorganization bill), which provides that the Bureau of Customs and the Bureau of Prohibition shall be in the Treasury Department and that all the employees of both bureaus, except the Commissioners, shall be appointed subject to civil service laws and regulations, was passed by Congress on March 3, 1927.⁷⁵

The classification of prohibition agents is a splendid example of successful propaganda. With a hostile Congress and an indifferent ally, the League persistently hammered upon the spoils evils in the Enforcement Bureau until the Anti-Saloon League changed its attitude and came to the support of the merit principle. The better part of the press backed the League's efforts, and Congress finally succumbed. In speaking of the activities of the League in 1923, the *New York Tribune* said: "If now the character of that service is improved we may credit the fact in no small part to the vigorous protests and denunciations of Mr. Foulke and his associates. And we may expect Mr. Foulke now to press even more vigorously a campaign for the cleansing of that service from the taint of spoilsmanship and the placing of it upon a non-political, non-personal merit system basis. If he can accomplish that he will have rendered one of the best services in all the useful history of the League."⁷⁶

CENSUS EMPLOYEES

Every ten years the League has a struggle with the spoilsmen in Congress over the classification of census employees.⁷⁷ The census of 1920 was no exception. The census bill as it passed the House on July 2, 1918, provided

⁷⁴*Good Government*, Vol. XLIII, pp. 14, 27-28 (1926).

⁷⁵*Ibid.*, Vol. XLIV, pp. 23-24 (1927); 44 Stat. at L. 1381-1383 (1927).

⁷⁶*New York Tribune*, June 18, 1923.

⁷⁷For the history of the censuses of 1890, 1900, 1910, see W. D. Foulke, *Fighting the Spoilsmen*, pp. 64-85 (1919).

that out of 85,000 employees of the census, only four stenographers and fifteen statisticians should obtain their places by competition. About four thousand clerks were to be appointed by non-competitive examinations.

The Secretary of the League sent a strong letter of protest to the chairman of the Senate Committee on Census, and requested a hearing in advance of action by the Senate Committee. At the Committee hearing which was held on September 10, Mr. Foulke, chairman of the League's Census Committee, entered a vigorous protest against the spoils provisions of the census bill. In a printed memorandum presented to the members of the Committee, Mr. Foulke analyzed the objectionable features of the bill, and recounted the history of previous censuses. He concluded:

Past experience shows beyond a doubt that the grossest abuses, frauds, inaccuracies, corruption, and extravagance have followed every exemption of census employees from the provisions of the civil service law.

The present bill is in many respects, as already shown, more objectionable than any previous bill.

At the present moment, when "politics is adjourned" and the country expects public considerations only to prevail, the passage of the census bill with patronage provisions would be a national disgrace.

On September 19 a letter was sent to President Wilson calling his attention to the pending census bill and asking him to indicate to the friends of the Administration in Congress his opposition to it. As a result of the League's protest, the bill was modified in the Senate by making the examination of the 4,000 clerks competitive, and taking the appointment of 400 supervisors out of the hands of the Director of the Census and placing it in the hands of the President, with Senatorial confirmation. However, this left subject to political appointment the 400 supervisors who appoint the 85,000 enumerators.⁷⁸ The League asked

⁷⁸40 Stat. at L. 1292 (1919); *Good Government*, Vol. XXXV, pp. 98-99, 154-155 (1918); Vol. XXXVI, pp. 27, 37 (1919); *Proceedings of the League*, 1919, pp. 35-36; 1920, p. 46.

President Wilson to veto the measure because of its spoils provisions and the preference rider, but unfortunately he did not do so.⁷⁹

OTHER EXEMPT POSITIONS

By act of Congress, approved October 22, 1913, deputy collectors of internal revenue, who had previously been in the competitive class, were taken out of the classified service and put in the exempt class, allowing their appointment without civil service examinations. The same law also exempted deputy United States marshals.⁸⁰ This legislation, which was in the form of a rider to the urgent deficiency appropriation bill, was vigorously opposed by the League in its passage through both houses of Congress. After its passage in the House by a very narrow margin, the League, in a telegram of October 15, urged the President to veto the bill. In signing the bill the President said that he was convinced that the offices of deputy collector and deputy marshal were never intended to be included under the civil service law. At the same time he announced his warm advocacy and support of the principle and practice of civil service reform.⁸¹

The report of the Council to the annual meeting of the League in December, 1913, said:

The League takes issue squarely with the President on his statement that the deputies were never intended to be included under the ordinary provisions of the civil service law. Their appointment through competitive examinations has worked most successfully, while their exemption, if one may judge from past experience, can result only in grave prejudice to the service. The President's statement of his opposition to the spoils system may have some wholesome effect on Congress. It has been followed by a circular letter to all collectors of internal revenue

⁷⁹*Good Government*, Vol. XXXVI, pp. 54-55 (1919).

⁸⁰38 Stat. at L. 208 (1915). For the history of these positions, see Mayers, *op. cit.*, pp. 133-136.

⁸¹*Good Government*, Vol. XXX, pp. 97-98, 102-103 (1913); Vol. XXXVIII, pp. 100-101 (1921).

and United States marshals sent by the President's direction warning them against appointment of their deputies for purely political or personal reasons. Whatever moral effect this warning may have, however, a most deplorable backward step has been taken which, under an administration less favorable to the merit system, may facilitate a return to the worst evils incident to the spoils system in this part of the service.⁸²

Ever since the exemption of these places the League has demanded through its publications and through resolutions at its annual meetings that these officers should be restored to the competitive class. To this purpose all the strength of the League was thrown in support of the bill introduced in the House on March 1, 1924, by Representative Morton D. Hull of Chicago, providing that the President should be authorized to extend the classified civil service to the many positions heretofore exempted by acts of Congress.⁸³

In the fall of 1925 the League opened an intensive campaign to secure in the new Congress legislation for the classification of deputy collectors of internal revenue. On the basis of facts disclosed in an investigation by the League of political appointments in the Internal Revenue Service in Indiana and New Jersey, Commissioner Blair, in a letter of October 20, 1925, from President Catherwood of the League, was asked to recommend a return to the merit system for the selection of deputy collectors of internal revenue. Mr. Catherwood's letter pointed out the increase in the number of deputy collectors from 712 in 1914 to 4,904 in 1925, whereas the increase in the clerical class (subject to the merit system) during the same period was from 932 to 1,442. He cited instances of manipulation of positions by collectors of internal revenue to make places for political favorites at the expense of trained employees who had entered the service by competitive examination. Mr. Catherwood called upon Commissioner Blair to require collectors of internal revenue to make appointments for

⁸²*Proceedings of the League*, 1913, p. 60.

⁸³*Field Department Bulletin*, Vol. 1, no. 2, p. 3 (1924).

clerk from civil service eligible lists, to prevent the appointment of officials called deputies to clerical positions, and to join with the League in urging that the entire force be put under the merit system in the new revenue law.⁸⁴ As yet no law has been passed by Congress to provide for the classification of these positions.

Other positions, now exempt by statute, for which the League has repeatedly urged classification, include "special experts," the secretary, a clerk to each Commissioner, the attorneys, naval architects and examiners of the Shipping Board, and various similar employees of the Tariff Commission, Federal Trade Commission, Federal Farm Loan Board, Federal Reserve Board, and the Veterans' Bureau.⁸⁵

THE MERIT SYSTEM IN STATE AND LOCAL GOVERNMENTS

The first victory for the merit system was won in the Federal Government and the widest application of the system is still to be found there. This is due to the fact that the first reform drive was made in the federal service, to the greater scope and complexity of federal functions, the larger number of employees, and to the further fact that extension in the federal service has proceeded by executive order and in the states by legislation. In the states the history of civil service reform falls into three periods, the first being marked by the passage of civil service laws in New York in 1883 and Massachusetts in 1884. For twenty years no additional laws were passed. In 1905 Wisconsin and Illinois enacted laws. Since that time laws of varying scope have been passed in Colorado, in 1907; New Jersey, in 1908; Connecticut, California, and Ohio, in 1913; and Kansas, in 1915. "The third period in the history of civil service reform," says Professor Mathews, "from 1915 to

⁸⁴*Good Government*, Vol. XLII, pp. 80-82 (1925). See "Reasons Why Deputy Collectors of Internal Revenue should be Classified," United States Civil Service Commission, *Annual Report*, Vol. XLII, pp. xxvi-xxix (1925).

⁸⁵United States Civil Service Commission, *Annual Report*, Vol. XLIII, pp. 88-91 (1926).

date, has been marked by a reaction and even backsliding in some parts of the country, opponents of the reform making determined efforts in a number of state legislatures to repeal or weaken the civil service laws." In Connecticut the General Assembly first weakened and then finally repealed the civil service law in 1921, the only instance of a state abandoning the merit system. In the same year the Kansas Legislature failed to appropriate funds for the continuance of the civil service commission. In Colorado hostile legislation and withholding of appropriations crippled the administration of the laws, which was insured a fair trial only by the adoption of a constitutional amendment in 1918.⁸⁶ "In Illinois," says Professor White, "the administration of the merit law since 1921 has been such as to destroy its usefulness. In Kansas the law is dormant for lack of appropriation. In Chicago from 1915 to 1923 the administration was entirely out of sympathy with merit principles. In other states, however, real progress is being made, notably in New York, Massachusetts, New Jersey, Wisconsin, and Maryland. Excellent work is also being done in Los Angeles, in St. Paul, in Milwaukee, and in other jurisdictions."⁸⁷ The one advance in this period was in Maryland, where a law was enacted in 1920.

Progress of the merit system in cities has been continuous and more rapid than in the case of states. Some of the state laws apply to cities and counties and other local divisions of government as well as to the state service. In other states many cities and counties have adopted the merit system by special legislation or charter provision. More than three hundred and fifty cities of the United States have some form of civil service, and this list includes 72 out of the 100 largest cities of the country in 1920, and all cities having a population of over 500,000. Sixty-four

⁸⁶J. M. Mathews, *American State Government*, pp. 272-273 (1924); B. F. Wright, Jr., *The Merit System in American States with Special Reference to Texas*, pp. 33-35, 56-60 (1923); *Good Government*, Vol. XXXVIII, pp. 45-47 (1921).

⁸⁷L. D. White, *Introduction to the Study of Public Administration*, pp. 229-230 (1926).

per cent of the population of cities of 5,000 and more and 90 per cent of the population in cities of 100,000 and more are operating their government under some kind of civil service system.⁸⁸ Some twenty-six counties also operate under civil service regulations.⁸⁹ But civil service reform in state and local governments is still in its infancy. Under the division of labor between the League and the local associations, the League has devoted its attention primarily to the Federal Government, leaving to the local associations the extension of the merit system in their jurisdictions. But the League has always actively supported the local associations in their efforts and has entered the field where no local association existed, endeavoring in all cases to organize local groups into a reform association. The decline of local associations in the last ten years has thrown a much greater burden upon the League.

To facilitate the extension of reform in state and local governments, the League added to its staff, in 1918, a Field Secretary, to work primarily in this field. The first assignment of the Field Secretary was in Colorado to assist in the campaign for a civil service amendment to the state constitution. During the winter of 1919 campaigns were conducted in Oregon and Washington for the adoption of civil service laws. These efforts were not successful, but local associations were formed in these states. In July and August information was gathered for the basis of a legislative campaign in the states of Minnesota, North Dakota, and Nebraska. In the fall of 1922 the Field Secretary went to California to assist the local civil service reform association in its campaign for a civil service amendment to the state constitution. Since the fall of 1923 shortage of funds has forced the Field Secretary to conduct her work mainly from the headquarters of the League, building up contacts in the field through correspondence and the *Field Bulletin*,

⁸⁸E. C. Marsh, *The Civil Service, A Sketch of the Merit System*, pp. 10-11 (1922); "Employment Management in Municipal Civil Service," *National Municipal Review*, Vol. XII, p. 447 (1923).

⁸⁹H. S. Gilbertson, *The County*, p. 52 (1917).

and making trips only after a situation has been developed through these agencies.

When not in the field conducting election and legislative campaigns, the Field Secretary is engaged in forming local civil service reform associations affiliated with the League or assisting these organizations or other local groups in securing civil service laws or constitutional amendments, strengthening amendments to poor laws, and fighting the spoilsman where existing laws are threatened with repeal. She has charge of the editing of the *Field Bulletin* and its distribution, as well as the distribution of other League literature. This department also seeks to build up a speakers' bureau and to compile information concerning the civil service and its administration. A valuable part of its work has been the enlistment of the coöperation of women's organizations, as the League of Women Voters and the General Federation of Women's Clubs.

Within the last dozen years the League has worked steadily for extension in state and local governments. During this period it has given assistance in drafting laws and organizing campaigns for legislation or constitutional amendments in Oregon, Washington, Arizona, Kentucky, Maryland, Minnesota, New Mexico, North Dakota, Louisiana, Pennsylvania, Connecticut, Nebraska, Indiana, Virginia, Idaho, Michigan, Texas, Vermont, Utah, Kansas, Georgia, Alabama, and Florida. During this same period assistance was given to numerous city charter commissions in their efforts to incorporate adequate civil service provisions in proposed city charters.⁹⁰

In order to meet the demand for forms of civil service laws for cities of varying sizes the League issued in 1918 a *Draft of a Civil Service Law for Cities*. This draft was originally prepared by the Secretary of the League and printed in the *Proceedings of the Buffalo Conference for Good City Government* in 1910.⁹¹ Modified so as to con-

⁹⁰*Proceedings of the League*, 1915-1927, *passim*; *Good Government*, Vols. XXXII-XLIV, *passim* (1915-1927).

⁹¹E. H. Goodwin, "Draft of a Civil Service Law for Cities," *Proceedings of the Buffalo Conference for Good City Government* and

form to the commission form of government for cities, the draft was again printed in the *Loose Leaf Digest of Short Ballot Charters* published in 1912.⁹² With a few changes made by a special committee the draft was separately published and distributed by the League in 1918. In the same year the League issued a *Draft of a Civil Service Law* applicable to a state government and its civil divisions. The movement for the preparation of such a law goes back to 1913 when a special committee was appointed to draft a model or standard law.⁹³

A few states provide for the merit system in the constitution.⁹⁴ This is considered by the League the best method of securing the permanence of the merit system. Since 1913 constitutional conventions have met in a number of states. In these conventions the League has worked for the inclusion of a civil service provision in the new constitution.

In 1915 a Convention to revise the constitution met in New York. During the summer of 1914 the New York Civil Service Reform Association appointed a committee of some forty men as a Standing Committee on the Constitutional Convention. In October letters were sent to every candidate for delegate to the Convention asking (1) whether he believed in the merit principle and would vote for the retention of the existing clause relating to the civil service, and (2) whether he would oppose any attempt to insert in the fundamental law any provision which would increase the privileged classes in the civil service. Of 126 replies from candidates, only one announced his opposition to the Association's position.

the Sixteenth Annual Meeting of the National Municipal League, pp. 577-580 (1910).

⁹²E. H. Goodwin, "A Civil Service Law for Commission Cities," *Loose Leaf Digest of Short Ballot Charters*, 2d ed., pp. 21,601-21,603 (1912).

⁹³Foulke, *op. cit.*, pp. 223-225. The Standard Law is printed in the appendix of A. W. Procter, *Principles of Public Personnel Administration*, pp. 201-234 (1921).

⁹⁴New York, 1894; Ohio, 1912; Colorado, 1918.

A Memorial on the Civil Service Clause in the Constitution, prepared largely by Mr. Ordway, Chairman of the Executive Committee of the Association, was presented to each member of the Convention.⁹⁵ This memorial stated in conclusion that the present civil service provision of the constitution had worked satisfactorily and well and that it should be retained in the new constitution without amendment. The only change made by the Convention was the addition of a provision making the State Civil Service Commission a constitutional body.

Due to the vigorous fight made by the Association the effort of the Spanish War Veterans to secure the extension to them of the preference which is now accorded veterans of the Civil War in appointments and promotions in the civil service, was defeated. This was by far the most important work of the Association with relation to the Constitutional Convention. The proposed constitution was defeated by the voters at the polls.⁹⁶

In 1918 the necessary number of signatures was obtained to initiate a new civil service amendment to the Colorado Constitution written by Mr. William Grant, Jr., of Denver. The amendment was to be voted on at the election of November 5. Miss Eldred Johnstone, the new Field Secretary of the League, went to Colorado in October to assist in the campaign. After a vigorous campaign of publicity the amendment was carried by a vote of 75,301 in favor, to 41,287 against it. Thus Colorado adopted one of the most complete and comprehensive constitutional civil service sections ever enacted.⁹⁷

Preparation for constitutional conventions in a number of western states about this time led the League to prepare a draft of a constitutional provision to incorporate the

⁹⁵See S. H. Ordway, "The Civil Service Clause in the Constitution," *Academy of Political Science Proceedings*, Vol. V, pp. 251-262 (1915).

⁹⁶*Good Government*, Vol. XXXII, pp. 50, 54, 64, 70, 74, 78 (1915); *Proceedings of the League*, 1915, pp. 24-25; *Report of the Executive Committee of the Civil Service Reform Association*, New York, 1915, p. 19.

⁹⁷*Good Government*, Vol. XXXV, pp. 108-109, 181-183 (1918).

merit principle in state constitutions. The draft, which was prepared by a special committee of Messrs. Spencer, Ordway, and Hardon, of New York; Whitman, of Illinois; and Faught, of Pennsylvania, was approved by the Council of the League on December 4, 1919, and was sent to Nebraska and New Mexico. It was also presented to the meeting of the National Municipal League at Cleveland in late December, where the provisions of a Model State Constitution were under discussion.⁹⁸ The first sentence of the League draft was incorporated in the Model State Constitution in the following provision:

Appointments and promotions in the civil service of this state and of all civil divisions thereof, including counties, cities, and villages, shall be made according to fitness, to be determined, so far as practicable, by examination, which, so far as practicable, shall be competitive.⁹⁹

In the Nebraska Constitutional Convention of 1919-1920 the League strongly urged that its civil service constitutional provision be used.¹⁰⁰ The Louisiana Constitutional Convention of 1921 included the following clause in the new constitution: "The Legislature shall provide for civil service in municipalities having a population of one hundred thousand (100,000) or more, and for the recognition and adoption of the merit system in the employment or appointment of all applicants; and shall provide against the discharge of employees or appointees without good and sufficient cause."¹⁰¹ In the Massachusetts Constitutional Convention of 1917-1918 and the Illinois Constitutional Convention of 1920-1922 a proposed civil service clause for the new constitution failed of adoption by the Convention.¹⁰²

⁹⁸*Ibid.*, Vol. XXXVI, pp. 191-192 (1919).

⁹⁹National Municipal League, *A Model State Constitution*, sec. 89 (1922).

¹⁰⁰*Proceedings of the League*, 1920, p. 15.

¹⁰¹*Constitution of Louisiana*, art. 14, sec. 15 (1921); *Proceedings of the League*, November 16, 1921, p. 16.

¹⁰²*Proceedings of the League*, 1923, p. 13.

In November, 1922, the Field Secretary of the League went to California to assist in the campaign for the adoption of a civil service clause in the state constitution. About thirty thousand signatures to a petition were secured, but the movement had to be abandoned on account of the opposition of the University of California to having its employees subject to the competitive system, the teaching force alone having been exempted.¹⁰³

In a number of instances the adoption of the merit system has been made by popular vote and it is significant that in every case where the people have been allowed a preference, they have voted for the merit principle. Chicago in 1895 adopted the general civil service law for cities enacted by the Legislature by a majority of over fifty thousand.¹⁰⁴ At the election in Illinois in 1910 on the question "shall the next general assembly enact a comprehensive and adequate civil service law, thus promoting efficiency and economy?" the affirmative popular majority was over two hundred and ninety thousand.¹⁰⁵ The Ohio constitutional amendment providing for the merit system was adopted by a majority of 102,187 which was larger than the majorities for municipal home rule and for the initiative and referendum.¹⁰⁶ The vote in Colorado in 1918 has already been noted. Many cities and towns in various states have adopted the state law or accepted by popular vote civil service provisions in charters where reform has been an issue in the campaign.¹⁰⁷

In evaluating the results achieved in the extension of the merit system since 1913 we must agree that progress has been slow. In the federal service the struggle for extension upward has encountered great obstacles. Some improvement has been made in the method of selection of presidential postmasters through executive orders, but politics is still the controlling factor. The League forced a slight modification of the census bill of 1920, but important local

¹⁰³*Good Government*, Vol. XL, pp. 42-45 (1923).

¹⁰⁴*Ibid.*, Vol. XIV, pp. 137-138 (1895).

¹⁰⁵*Ibid.*, Vol. XXVII, pp. 90, 94 (1910).

¹⁰⁶*Ibid.*, Vol. XXIX, p. 100 (1912).

¹⁰⁷*Ibid.*, Vol. XXVII, p. 94 (1910).

officers and higher administrative posts at Washington still remain subject to spoils. The one victory in this period is the classification of prohibition enforcement agents, whose inclusion in the competitive system was due to the incessant propaganda of the League which finally won to its support the Anti-Saloon League and overcame the opposition in Congress.

The fundamental reason for the slow extension in recent years is the refusal of Congress to repeal the Four Years Law and Senatorial confirmation which are necessary before the local officers and higher administrative positions can be classified. As Moses says, ". . . Congress is very tenacious of these contemptible remnants of a once glorious plunder."¹⁰⁸

In state and local governments reform has been on the defensive during the greater part of the time since 1913. One state repealed her civil service law, another refused an appropriation for the civil service commission, and in many jurisdictions the administration of the system has been paralyzed by politics. A few gains may be noted, however, in the constitutional provisions adopted in Ohio, Colorado, and Louisiana and the laws enacted in Kansas and Maryland. The greatest gains are found in city government.

Why this slow progress in new territory? For one thing, the League and its local associations have been so occupied fighting the spoilsmen, preventing retrogressions, and unfriendly legislation, that little time has been left for extension. Furthermore, the League has concentrated its attention on the problems of the federal administration, leaving to the local associations the burden of the fight in local governments. But local associations are found in not more than a dozen states, in many cases where civil service laws are already on the statutes. There has been also within the last dozen years a noticeable decline in the vitality of many of these local associations. Shortage of funds has prevented the League from keeping a representative in the

¹⁰⁸Robert Moses, *The Civil Service of Great Britain*, p. 252 (1914).

field continuously during this period. As compared with the federal service, reform has been pushed with less vigor in state and local governments.

But here, as in the National Government, the greatest obstacle is spoils politics. In the cities the greater gains are due to the fact that the functions of the government are more technical in character, thus increasing the danger of reliance upon political appointees. But in the counties and states reform has lagged behind the nation and the cities. State and county political organizations still hold fast to the Jacksonian tradition of spoils.

As long as important branches of the federal service and over three-fourths of the states and thousands of cities, towns, and counties are still under the spoils system, it cannot be said that the merit principle has been fully accepted. Here is a problem challenging the best efforts of the League. In the field of state and local government the next great victories for pure politics and efficient administration must be won.

CHAPTER VI

DEFENSE OF THE COMPETITIVE PRINCIPLE

Creation of a favorable public opinion and the crystallization of that opinion into law does not complete the work of the civil service reformers. Having secured a statute they must mount guard over its enforcement. A good law can be effectively nullified by spoils administration. The progress of reform in this country, national, state, and local, has been one long struggle with the spoilsmen. As one student says, ". . . reform in the United States has moved forward slowly and painfully; frequently it has stopped entirely, and at times it has actually been driven back."¹

An important phase of the League's work has always been that of a defender of the competitive system from all attacks, exemptions, evasions, and maladministration, whether by the executive or by the legislative department of the government. These defensive engagements, from which the League has never failed to emerge the victor, constitute an interesting chapter of League activities. The following recent cases in the administrations of Presidents Wilson and Harding are typical.

FOURTH-CLASS POSTMASTERS AND THE RECORDS OF THE CIVIL SERVICE COMMISSION

Postmasters of the fourth class, those with an annual salary of less than \$1,000, were from the beginning appointed by the Postmaster-General without regard to civil service rules. In 1908 President Roosevelt issued an executive order classifying all fourth-class postmasters in the fourteen states north of the Ohio River and east of the Mississippi. This brought into the competitive class 15,488 positions. A few months before his retirement from office (on October 15, 1912) President Taft by executive order

¹Robert Moses, *The Civil Service of Great Britain*, p. 247 (1914).

extended the classification to include all the states. Under both of these executive orders the officials in office on the date of the order were brought within the classified service without examination.²

The Democrats in Congress denounced this "covering in" of political appointees and brought strong pressure to bear upon the President to revoke the order of President Taft.³ League officials were informed at a conference with the Postmaster-General in Washington on March 27 that he intended to ask the President to issue an order requiring all fourth-class postmasters to take competitive examinations before final appointment. This suggestion was opposed by the representatives of the League, and, failing to secure a hearing before the President, a memorandum was forwarded to him pointing out the objectionable features of such a policy.⁴

Nevertheless, on May 7, 1913, President Wilson issued an executive order providing that no fourth-class postmaster should be given a competitive classified status unless he was appointed as a result of an open competitive examination or under the regulations of November 25, 1912, or of January 20, 1909, or should be so appointed.⁵ On June 7 the League issued a statement pointing out that this was a departure from the rule followed by previous administrations, that the League had never opposed the policy of covering in, that it doubted the practicability of the plan of examinations required by the order, and that the plan, besides being costly and laborious, afforded no guarantee of increased efficiency of this branch of the postal service.⁶

At the meeting of the Council on May 15, after a discussion of the order, a special committee was appointed to investigate the operation of the system of examinations and

²Lewis Mayers, *The Federal Service*, p. 128 (1922).

³*Good Government*, Vol. XXX, pp. 25, 26, 27, 30, 33, 62, 92, 99 (1913).

⁴*Minutes of the Council*, May 15, 1913, p. 2.

⁵United States Civil Service Commission, *Annual Report*, Vol. XXXI, pp. 112-113 (1915).

⁶*Good Government*, Vol. XXX, p. 57 (1913).

to report back to the Council. A preliminary report was made to the Council in October. The Civil Service Commission having given a noncommittal reply to a request for permission to examine certain records in its office relating to the examination of fourth-class postmasters, the Council believed that a determined effort should be made to get access to these records.⁷

On November 17, 1913, the Postmaster-General issued a statement to the press regarding the policy of the department in making appointments of fourth-class postmasters and rural carriers, in which he said:

In his efforts to secure the most efficient man for the Postal Service, and as a part of the evidence upon which he reaches his conclusion, it is his practice to ask the Member of Congress in whose district the vacancy exists to advise him relative to the character and fitness of the three eligibles. In doing so the Postmaster General calls upon the Member, not in his capacity as a member of any political party, but solely as the representative of the community, regardless of political affiliations. . . .⁸

The League protested to the Postmaster-General on January 8 and to the President that this policy was in violation of Section 10 of the Civil Service Law and would endanger the fairness and non-partisanship of the examinations. At a conference between the President and League officers the latter were assured that the merit principle would be observed in the examinations. The Postmaster-General denied that there had been any violations of the law in appointments, and the President of the Civil Service Commission stated that in seeking recommendations from Congressmen the Post Office Department was not violating the Civil Service Law.⁹

Having evidence that Democratic members of Congress considered their recommendations as absolutely decisive or

⁷*Minutes of the Council*, October 10, 1913, p. 7.

⁸United States Civil Service Commission, *Annual Report*, Vol. XXXIII, pp. xv-xvi (1916).

⁹*Minutes of the Council*, January 23, 1914, pp. 3-4; October 9, 1914, pp. 9-10; *Proceedings of the League*, 1914, pp. 71-74, 77.

at least powerfully influential, the League decided to secure from the Civil Service Commission information as to the number of instances the first person on the eligible list was passed over for the second or third. The refusal of the Civil Service Commission to open its records to the inspection of the League precipitated a controversy with that body which continued during the greater part of Wilson's first Administration. Such an unusual break in the traditionally cordial relations of the two bodies merits a full explanation.

On April 13, 1914, the League asked the Commission for permission to examine the records in its office to determine the names of the candidates who took examinations for fourth-class postmasters and the names of successful candidates with their ratings and the names of new appointees. On April 24 the Commission denied the request owing to the congestion of the work of the office.¹⁰

The League waited until all of the examinations had been completed before renewing its request for access to the records. In the meantime many complaints were received by the League that the examinations were so conducted as to secure the appointment of Democrats instead of the Republican incumbents and that Postmaster-General Burleson had used the motorization of the rural free delivery service to turn out Republicans and put in Democrats. On March 31, 1916, the League renewed its request for access to the records. The President of the Commission refused on the ground that if access were given to the records it might lead to embarrassing criticism of the administration. On April 19 and May 24 the League formally repeated its request for permission to examine the records and asked for a general rule permitting public inspection of them. No replies were received to these letters and on May 31 the League wrote to the President, who asked for further information. A memorandum covering the controversy with the Civil Service Commission, together with a letter asking the President to issue a general order granting access to

¹⁰*Minutes of the Council*, October 9, 1914, pp. 9-11.

the records under proper supervision, was sent to the President on July 3. The President replied July 19, stating that he had referred the correspondence to the Commission "with the suggestion that in their annual report for the fiscal year 1916 the Commission disclose the method employed by them and by the Post Office Department in administering the Executive Order referred to, together with the results obtained thereby." President Wilson accepted the Commission's statement that its refusal was not based on a fear that the records would lead to criticism of the administration, but was based on sound administrative practice.¹¹

Reply to the League's letter to the Commission of April 19, dated May 27, was received on July 22. The Commission argued that its records were privileged, though open to either house of Congress, but not to an outside body.

On August 1 the League wrote to President Wilson reviewing and criticising the position of the Commission. The President's attention was called to the fact that state and city civil service commissions in all parts of the country made public such eligible lists and that the Federal Commission had never denied the League access to its records except for a short period in 1899. Characterizing the reasons of the Commission as "contradictory and inconsistent," the letter continued: "The general principles of law, founded upon universal experience, declare that the suppression of evidence furnishes the inevitable inference of indefensible conduct on the part of those by whom that evidence is suppressed." In conclusion the League asked the President to reëxamine the matter and to issue a general order opening the records to inspection.

The facts of the controversy were given to the press by the League on August 9, and the following newspapers commented editorially on the refusal of the Commission to open its records to the League: *New York Evening Post*, *St. Louis Globe-Democrat*, *Buffalo News*, *Philadelphia Ledger*, *New York Tribune*, *Providence Journal*, *Austin*

¹¹*Good Government*, Vol. XXXIII, pp. 81-85 (1916).

(Texas) *Statesman*, *Milwaukee Wisconsin*, *Dayton Herald*, *Denver News*, *New York Sun*, *Chicago Tribune*, *Omaha Bee*, and *Boston Transcript*.¹²

The Federal Commission issued a public statement on August 15 declaring that it was simply following a policy which had guided it since its establishment in 1883. It denied that the League had ever had the general privilege of inspecting its records and correspondence and reiterated that it was following the same policy as other executive departments. On August 19 Mr. Foulke replied to the statement of the Commission, pointing out that the League had had access to the records in the past and that the Commission's statement was "flatly contradicted by the official reports of the Commission itself and by its own public regulations."¹³

On October 6 the League wrote to the President asking him to reconsider the ruling of the Civil Service Commission on the secrecy of its records. It pointed out that the records had been open to the League in the past and added:

Regardless of the attitude of previous administrations, we respectfully contend that the position which your Commission has assumed is untenable in a democracy. Inspection of records more frequently disposes of than proves charges. . . .

We respectfully submit that a policy of secrecy is un-American and contrary to the ideals of American government. We regard it as a denial of a moral right of a citizen or an association of individuals in a democracy to know what their officials are doing and how they are doing it.

On October 10 the President wrote that he would re-examine the matter. "I feel that that is something which I owe to the League out of respect for its activities." No reply having been received from the President on the results of his reexamination, the League wrote the President on October 31 expressing its hope that the policy of secrecy would be abandoned. On the same date a letter was sent to the Postmaster-General announcing that the League welcomed the opportunity to take advantage of his offer made

¹²*Ibid.*, pp. 89-92.

¹³*Ibid.*, pp. 84-85.

in a letter to the *New York Evening Post* on October 23 that the records of his office would be open to the League to verify statements made in his letter. The League expressed willingness to send a representative and promised publicity of results of the investigation, whatever the results might show.¹⁴

At the annual meeting in December, 1916, the following resolution was adopted:

The League denounces the present policy of secrecy in connection with the administration of the Federal civil service law, regarding it as a denial of the right of citizens in a democracy to know what their officials are doing, and as fraught with serious danger to the civil service principle, which rests upon open competition. The League expresses the hope that a re-examination of the facts will lead the President to terminate this extraordinary situation and issue a general order granting access to the records under reasonable supervision.¹⁵

Criticism was also directed by the League against the method of conducting the examinations for fourth-class postmasters. In a signed article in the *New York Evening Post* for October 3, 1916, Mr. Nelson S. Spencer, Chairman of the Executive Committee of the New York Civil Service Reform Association and a member of the Council of the League, reviewed the civil service record of the Wilson Administration and charged manipulation of the examinations of fourth-class postmasters to secure the appointment of Democrats. He also criticised the policy of secrecy. Mr. Burleson replied in a letter to the *Post* on October 23. He denied that Republicans had been ousted in favor of Democrats and stated that 66 per cent of the 35,900 incumbent postmasters, presumably Republican, had been retained as a result of the examinations. "The information . . . is immediately available here and now, to the effect that 66 per cent of the incumbent fourth-class postmasters were not disturbed in their positions." Mr. Spencer's rejoinder was published in the *Post* of October 30. He stated

¹⁴*Ibid.*, pp. 99-100.

¹⁵*Ibid.*, Vol. XXXIV, p. 4 (1917).

that it was impossible for the League to dispute the figures of the Postmaster-General since it was denied access to the records, but it could be said that the Postmaster-General's figures did not agree with the figures given in the reports of the Civil Service Commission.¹⁶

Upon invitation of the League Postmaster-General Burleson addressed the annual meeting at New Haven on December 5. Mr. Burleson made a strong defense of the administration of the fourth-class postmaster examinations and declared that he favored not only the classification of first, second, and third class postmasters, but of every position in the Post Office Department with the exception of the Postmaster-General himself. Mr. Foulke followed Mr. Burleson and criticised the Post Office Department for seeking the recommendations of Congressmen relative to the character and fitness of the three eligibles highest on the list. Mr. Foulke also charged manipulation of the rural free delivery service, which had been motorized, for partisan purposes.¹⁷

In December, 1918, a Committee of the League on the United States Civil Service Commission, being a subcommittee of the Committee on Investigation and Reconstruction, reported to the Council that before the War the Commission had violated its duty in coöperating with the Post Office Department in the partisan reconstruction of the motor rural free delivery service and in refusing to the League access to its records. The Committee repeated the recommendation of the League in its letters of January 5 and February 25 for a reorganization of the Commission on account of its inherent incapacity during the War and for the new tasks in prospect in the reconstruction period.¹⁸ In March, 1919, President Wilson completely reorganized the Civil Service Commission by calling for the resignation of

¹⁶*Ibid.*, Vol. XXXIII, pp. 93-95 (1916).

¹⁷*Ibid.*, Vol. XXXIV, pp. 4-5 (1917); W. D. Foulke, *Fighting the Spoilsman*, pp. 249-254 (1919).

¹⁸*Good Government*, Vol. XXXV, pp. 184-189 (1918).

the three commissioners and nominating successors for the vacancies.¹⁹

In the course of its efforts to get the facts in connection with the administration of the order of May 7, 1913, the League became involved in a critical controversy with the Civil Service Commission regarding the principle of the secrecy of personnel records. The League's stand on this principle was correct, and this was finally tacitly conceded when the Post Office Department opened its records to the inspection of the League. President Wilson's tardy removal of the entire Commission indicated his disapproval of its actions. After a hard struggle the competitive principle emerged the victor.

THE SPOILS RAID UNDER HARDING

Early in President Harding's Administration it became evident that a determined effort was being made to break down the merit system in certain places in the national departments at Washington. We have already seen that President Wilson ordered the examination of the fourth-class postmasters who were put in the classified service by the order of President Taft in October, 1912, and that he had also by his executive order of March 31, 1917, provided for the competitive examination of candidates for presidential postmasterships in cases of vacancy due to death, resignation, or removal. Republican politicians complained bitterly that the Democrats had had a free hand with the post offices in 1913 and brought great pressure to bear upon the President to revoke the executive order of March 31, 1917. This the President was unwilling to do, but he did issue an order on May 10, 1921, allowing the appointment in the offices of presidential postmasters to be made from the three highest names on the eligible list. How this order was used to secure the appointment of Republicans in nearly every case has already been shown.²⁰

¹⁹*Ibid.*, Vol. XXXVI, p. 72 (1919).

²⁰*Supra*, pp. 121-124.

There was also a strong feeling of resentment by heads of departments under Harding because they found themselves surrounded by subordinate employees who had worked the past eight years under a Democratic administration. In a letter of May 14, 1922, to Congressman Will R. Wood, Secretary of Labor James J. Davis expressed this feeling of resentment. "My efforts in trying to increase the efficiency of this department and in making it more quickly responsive to changed conditions and to new economic problems have driven me to the conclusion that the classified service embraces too large a per cent of all the personnel of the department. From present experience I am inclined to the opinion that as the responsibility and discretionary powers of a position increase there should be less of the classified service."²¹

It was quite evident to the spoilsman in the Republican Party that the country would never tolerate a repeal of the civil service law and a return to the old spoils system. They sought rather to argue that the merit system had gone too far and that a Republican President and cabinet officers should be allowed to fill certain "key positions" with their political supporters. The people had overwhelmingly voted for a change in administration and these higher positions were necessary to make the Republican administration a success. To carry out this policy to "Hardenize" the service Mr. Elmer Dover in December, 1921, was appointed Assistant Secretary of the Treasury in charge of the Customs Service and the Internal Revenue Service. Mr. Dover's experience had been that of a newspaper reporter, editor, and business man, and secretary to Mark Hanna, from 1897 to 1904, and Secretary of the Republican National Committee from 1904 to 1908, and he had always been an active Republican worker. Immediately after his arrival in Washington Mr. Dover began a political reorganization of the Customs Service and the Internal Revenue Service, making partisan changes among employees in the classified service

²¹*Good Government*, Vol. XXXIX, pp. 59-60 (1922).

as well as those outside. Most of these changes had a disastrous effect upon the efficiency of the service. Particularly disastrous was the reorganization of the office of the Collector of the Port of New York, where the Customs Valuation and Review Bureau was abolished and its experts replaced by men of less experience.²²

Attorney-General Daugherty, in a public hearing before the House Committee on Appropriations on March 6, 1922, said with reference to personnel in his department that he was "thoroughly convinced that the civil service is a hindrance to the government." He continued:

I would rather take the recommendations of a political committee, either Democratic or Republican, a self-respecting committee, for the appointment of a man or woman than to be compelled to go through the requirement of the civil service to secure an employe. They are hardly as ambitious, hardly as energetic under the civil service as are those not under the civil service.

On March 31, 1922, President Harding issued an executive order removing over thirty employees of the Bureau of Engraving and Printing. The only reason given by the President was that the action was taken "for the good of the service."²³ This order violated the act of 1912 which provided that employees should not be removed except for cause and that notice should be given to the employee, a copy of the charges furnished him and an opportunity allowed for personally answering them in writing. Three of the positions abolished were created by act of Congress and could not be abolished by executive order. Finally, the executive order provided that the Director of the Bureau should fill all vacancies created by the order. This was contrary to law, which vests the appointment of all positions in the Bureau of Engraving and Printing in the Secretary of the Treasury. All of the advantages of the removal order could have been secured by an order of suspension

²²*Ibid.*, pp. 60-62.

²³United States Civil Service Commission, *Annual Report*, Vol. XXXIX, p. 127 (1922).

pending the filing of charges. This summary order not only violated the law, but was cruel to the employees removed, inasmuch as it placed a stigma upon them and made it difficult for them to secure other employment.

The League, on April 4, wrote to the President and the Secretary of the Treasury asking for reasons for the dismissals and called attention to Section 6 of the Act of August 24, 1912, providing for the manner of dismissals. The League's statement said:

If the employees are inefficient or corrupt they should be separated from the service without delay, but however grave may have been the reasons behind these removals it is an act of simple justice for the employees concerned to be furnished with a statement of those reasons and above all the President, as an example to all citizens, should observe the provisions of the laws which it is his duty to enforce.

Not long after the issuance of this order and while it was under discussion on the floors of both houses of Congress and by the press of the country, First Assistant Postmaster-General John H. Bartlett, who had been for several months President of the United States Civil Service Commission before his appointment to the Post Office Department, issued a public statement on April 10 in which he complained that the merit system had gone too far; even as high up as the \$5,000 places, whereas the founders of the civil service system had thought \$1,800 the maximum salary of positions to be included under the merit system. The statement continued: "It is exceedingly difficult to draw the line where civil service should stop its attempt to reach the higher officials, but it would seem to be reasonably sound doctrine that in a government by the people, when a new administration comes in with a fresh mandate from the people to carry out certain policies it should have the privilege, in fact, a perfectly free hand, to select all those higher officials to whom must be entrusted administrative policies and executive discretion."

One more indication that there was an organized drive to take some of the higher administrative positions out of the

classified service may be noted. Postmaster-General Work, who succeeded Mr. Will Hays in that office, announced in a conference with the League officials that he favored the removal of the examination of presidential postmasters from the Civil Service Commission to the Post Office Department. He declared that other things being equal, a Republican would always be selected, if he happened to be among the highest three.²⁴

With such unmistakable evidence that there existed among high officials of the Harding Administration an intention to break down the merit system and to take out of the classified service certain higher places for the benefit of the spoilsman, the League issued a call for a meeting to "all organizations and individuals who are interested in the maintenance of the competitive system of appointment to public office in all its integrity and who believe that both appointment and retention in civil service positions, the duties of which do not include the actual determination of broad questions of policy, should depend wholly upon the merit and fitness of the officers or employes and not at all upon their political opinions or services."

The conference which was held in Washington on Thursday, April 27, 1922, was attended by representatives of some twelve civic organizations of national scope and an equal number of organizations of civil service employees. Honorable Nelson S. Spencer of New York presided. Mr. Foulke, Acting President of the League, made a preliminary statement reviewing the public statements of various members of the official family of the Harding Administration—Attorney-General Daugherty, Congressman Williams, Postmaster-General Work, Assistant Secretary of the Treasury Dover, Senators New and Moses, and First Assistant Postmaster-General Bartlett. After commenting upon the various utterances of these men, Mr. Foulke said: ". . . we find it impossible not to believe that these gentlemen all

²⁴*Good Government*, Vol. XXXIX, pp. 62-65 (1922).

understood one another from the beginning and all worked upon a common plan."

First Assistant Postmaster-General Bartlett, who had requested permission to attend the meeting, followed Mr. Foulke on the platform. Previous to the invitation to speak Mr. Bartlett had distributed to the press copies of a ten-page speech that he intended to deliver. After Mr. Foulke's remarks Mr. Bartlett abandoned his prepared address and launched an attack upon the League. He bitterly denounced the League and its leaders for having called the conference "right under the shadow of the White House." He accused the League of misrepresenting him and misrepresenting the President and insisted that he was a better friend of the merit system than the League was and that the League was doing more to destroy the merit system than any one else. He argued that the League had carried the classified service too far and that an executive official should have the right to choose five or six employees without regard to the regulations of the civil service.

In rejoinder, Mr. Foulke quoted from a statement issued to the press by Mr. Bartlett in which he asserted that the civil service system had gone too far and then followed that quotation by reading from the last report of the United States Civil Service Commission, signed by Governor Bartlett as President of the Commission, in which it was stated that "administrative offices of real distinction and comfortable compensation" should be included in the classified civil service. The report also urged the inclusion within the classified service of higher field positions in many of the administrative departments. "It's Bartlett against Bartlett," said Mr. Foulke. "Which Bartlett do you choose? Bartlett the spoilsman or Bartlett the Civil Service Commissioner?"

Mr. Edward J. Henning, Assistant Secretary of Labor, was the next speaker. He made a statement on behalf of the Secretary of Labor explaining that when he said that there was too much of the classified service he meant that there should be more elasticity in the classified service. He stated that the Secretary of Labor was friendly to the merit

system and had retained in the department a considerable number of the employees of the former administration who were exempted from the civil service law.²⁵

The appearance at the League's meeting of two representatives of the administration was evidence that the League in calling the conference had given some alarm to the administration leaders. It was evident that they did not care to be put in the position of attacking the civil service principles before the people of the country. Editorial comment throughout the country supported the League in its efforts to block the restoration of the spoils system. In one respect the meeting resulted in a failure of League publicity. The outstanding event of the meeting, the most dramatic, was the debate between Messrs. Foulke and Bartlett. But the publicity value of this was almost entirely lost. Only two newspaper carried the true story—the *Springfield (Mass.) Republican* and the *New York Evening Post*. Before the meeting, Mr. Bartlett distributed copies of his address to the representatives of the press, and accepting this as the address actually delivered, they failed to attend the meeting. The address as delivered was very different, as we have seen.

Not long after this meeting the march down the hill began. On July 18 Mr. Dover's resignation as Assistant Secretary of the Treasury was announced. On February 14, 1923, an executive order was signed by the President permitting sixteen of the former employees of the Bureau of Engraving and Printing who were dismissed on March 31, 1922, to reenter any part of the classified service within a period of five years from the date of their removal.²⁶ The Executive Committee of the League on March 14 issued a statement pointing out that the order did not restore the employees to their former positions but only restored their

²⁵*Ibid.*, pp. 65-69; *Proceedings of the League*, 1922, pp. 3-7; H. W. Marsh, "The Recent Spoils Raid in Washington," *National Municipal Review*, Vol. XI, pp. 269-274 (1922); C. R. Woodruff, "Is The Merit System Passing?", *Forum*, Vol. LXVIII, pp. 689-698 (1922).

²⁶United States Civil Service Commission, *Annual Report*, Vol. XL, pp. 152-153 (1923).

civil service status, a process far short of complete restitution.²⁷ Finally, after an interval of nearly two years, orders were issued to restore, so far as possible, all employees of the Bureau of Engraving and Printing dismissed by the executive order of March 31, 1922, to their former positions. This order affected only nineteen of the twenty-eight employees, three having died since the removal order was issued, five having retired, and one having declined reinstatement.²⁸

THE DAVIS CASE IN THE RECLAMATION BUREAU

On June 18, 1923, Secretary of the Interior Work announced the resignation of Mr. Arthur Powell Davis as Director of the Reclamation Service and the appointment of Mr. D. W. Davis, former Governor of Idaho, as "Commissioner" of Reclamation. Mr. Foulke, as President of the League, addressed a letter to Secretary Work on July 3, 1923, in which he compared the civil service record of Mr. A. P. Davis with that of his successor, Mr. D. W. Davis. According to the civil service records, the former had entered the Government service as a topographer in 1882; his position was classified in 1888, he had risen in the service through promotion based upon merit until in 1907 he was appointed Chief Engineer and in 1914, Director of the Service. D. W. Davis, selected to succeed Arthur Powell Davis, appeared to possess none of the qualifications requisite for this important position. He was a member of the Republican National Convention of 1912, member of the Idaho Senate from 1912 to 1914, and Governor of Idaho from 1919 to 1921. "If the government service," wrote Mr. Foulke, "is to attract and retain persons of qualifications for the duties to be performed, it is essential that some guarantee of permanency of tenure during good behavior be given, and that faithful performance of duty will lead to promotion to the

²⁷*Good Government*, Vol. XL, pp. 33-34 (1923).

²⁸*Ibid.*, Vol. XLI, pp. 46-47 (1924); United States Civil Service Commission, *Annual Report*, Vol. XLI, p. 105 (1924).

higher reaches of the service . . . without interference on account of political manipulation from without the service." In conclusion, Mr. Foulke asked for a more explicit statement of the reasons for the resignation of Mr. A. P. Davis and the qualifications possessed by his successor.

In his reply Secretary Work referred to his published statement of August 15 in which he said that the Reclamation Law placed the entire responsibility for the selection of agencies in the hands of the Secretary of the Interior. Mr. Foulke, in a letter to Secretary Work on August 24, criticised the latter for his attempt to abolish a classified position and to create an unclassified place with similar powers, also for his failure to explain the reasons for the resignation of A. P. Davis and the qualifications possessed by D. W. Davis. Mr. Foulke then propounded ten specific questions designed to bring out the facts of the case. Finally, he recalled to the Secretary his former statement that all things being equal, Republicans should always be appointed to places under a Republican administration, and added, "Are you not now extending that principle so as to make it provide that a serviceable Republican politician should be appointed whether other things are equal or not?"²⁹ A comprehensive review of all of the facts of the case, prepared by the Washington Representative of the League, Mr. R. M. Boeckel, appeared in the October, 1923, number of *Good Government*.³⁰

In September Secretary Work appointed a fact-finding commission to investigate methods used by the Government in reclaiming arid lands by irrigation. Before this commission had made a report, it was announced in April, 1924, that Secretary Work had demoted D. W. Davis, Commissioner of Reclamation, and had appointed in his place Mr. Elwood Mead of Berkeley, Calif.³¹

²⁹*Good Government*, Vol. XL, p. 147 (1923).

³⁰*Ibid.*, pp. 145-157.

³¹*Ibid.*, Vol. XLI, pp. 52-53 (1924). After his separation from the Government service Mr. Arthur Powell Davis became chief engineer and general manager of the East Bay Municipal Utility District of Oakland, Calif.

DEFENSIVE WORK IN THE COURTS

We have already seen how the early reformers resorted to the courts to stop the practice of political assessments, resulting in the conviction of General Curtis in New York in 1882.³² In its attempts to enforce the civil service laws and regulations in the federal service the League has been handicapped because of the fact that the President of the United States cannot be mandamused or enjoined, and United States District Courts cannot handle mandamus questions. Mandamus suits can be brought only in the courts of the District of Columbia. The most effective legal work in civil service matters has been done through the local associations, in particular the New York Civil Service Reform Association. The Association has been represented by counsel in practically all of the important cases arising under the New York Law.³³ Their work in connection with the veteran preference decision of the Court of Appeals of New York in 1921 will be described below.³⁴ In all of these cases the League, on account of its close relation to the New York Association, has had an active part.

A mandamus suit against the United States Civil Service Commission to compel it to allow access to certain personnel records was brought in April, 1926, by the officers of the Better Government League of Washington, D.C. The Supreme Court of the District of Columbia decided in favor of the Commission, as did also the Court of Appeals of the District of Columbia.³⁵ The Supreme Court of the United States refused a writ of certiorari.³⁶ The National Civil

³²*Supra*, pp. 38-39.

³³*Cf.* B. A. Arneson, "Constitutionality of Merit System Legislation," *American Political Science Review*, Vol. XIII, pp. 593-606 (1919). See *Report of the Executive Committee of the Civil Service Reform Association*, New York, 1881-1927, *passim*.

³⁴*Infra*, p. 179.

³⁵*Public Business*, Vol. I, nos. 3-4 (August-September, 1926); *Washington Post*, April 13, 1926.

³⁶*National Municipal Review*, Vol. XVII, p. 115 (1928); *Public Business*, Vol. II, nos. 3-4 (August-September, 1927).

Service Reform League had no part in the bringing of this suit.

FIGHTING THE SPOILSMEN IN CONGRESS

In the face of an aroused public sentiment Congress enacted the Pendleton Law in 1883, but it cannot be said that Congress has ever been enthusiastic about civil service reform. The spoilsman in Congress probably intended to withhold appropriations from the new Civil Service Commission as they had done under Grant, but the election of 1884 brought to the Presidency a man committed strongly to the principles of the merit system. However, the merit principle has been in constant danger of repeal or evasion. In discussing these dangers Fish says:

Not all the dangers of the present system are internal: from the very first direct attack has not been lacking. The session of Congress next after the passage of the law of 1883 saw two bills to repeal it, and three or four such bills have been introduced in every succeeding Congress. These bills for repeal are seldom debated, being reported adversely by the civil service reform committee of the House, or the civil service and retrenchment committee of the Senate; but every Congress witnesses a debate over the appropriation for the expenses of the commission. It was the intention of the framers of the law that these expenses should be made a permanent charge; but precedent was lacking for such a course, and thus the entire system is in constant danger of being impaired, if not destroyed, by a hostile vote. Nevertheless, supplies have not failed, and have grown increasingly liberal.³⁷

Some of the bitterest attacks upon the competitive system have come from opponents in Congress. Among these

³⁷C. R. Fish, *The Civil Service and the Patronage*, pp. 239-240 (1905). For typical debates on civil service, see *Congressional Record*, 51st Cong., 1st sess., Vol. XXI, pp. 3788-3803 (1889); 55th Cong., 3d sess., Vol. XXXII, pp. 453-463 (1899); 49th Cong., 1st sess., Vol. XVII, pp. 2786 ff. (1886); 47th Cong., 2d sess., Vol. XIV, *passim* (1882); *Civil Service Record*, Vol. VIII, pp. 51-53, 74-78, 84-88 (1888-1889); Vol. IX, pp. 105, 114-116, 117, 122-124, 125 (1890); Vol. X, pp. 88-98 (1891); *Civil Service Reformer*, Vol. VI, pp. 49, 55-57 (1890); Vol. VII, pp. 25, 31 (1891).

opponents in the 'eighties and 'nineties none was more vituperative than Representative C. H. Grosvenor of Ohio. For many long years he fought the reform in Congress, attempting to destroy or cripple the system. A particularly vicious attack on existing methods was made by him in a speech entitled *Civil Service Reform Run Mad* delivered in the House of Representatives on July 19, 1897.³⁸ This address called forth a reply from the Secretary of the League, Mr. George McAneny, on December 15, 1897.³⁹ Other consistent opponents of reform and of the League were Senators A. P. Gorman, of Maryland; Z. B. ("Zeb") Vance, of North Carolina; J. J. Ingalls, of Kansas; and Representatives Houk, of Tennessee; Cannon, of Illinois; and S. S. ("Sunset") Cox, of New York.⁴⁰

But the League and reform have not been without their friends in Congress and upon them has fallen the brunt of meeting the attacks of the spoilsman. Among the staunch defenders of reform in the critical period may be mentioned Representative (afterwards Senator) Henry Cabot Lodge, of Massachusetts; Senator Cushman H. Davis, of Minnesota; Senator Orville H. Platt, of Connecticut; Senator Cockrell, of Missouri; and Representatives McKinley, of Ohio; Dargan, of South Carolina; Boatner, of Louisiana; Brosius, of Pennsylvania; McComas, of Maryland; Butterworth, of Ohio; Dockery, of Missouri; and Tracey, of New York.⁴¹ Without the support of these men the reform would undoubtedly have been overthrown.

Direct attacks upon the law and the Civil Service Commission are not so frequent today. But Congress is no less

³⁸*Congressional Record*, 55th Cong., 1st sess., Vol. XXX, Appendix, pp. 419-445 (1897).

³⁹*An Open Letter to the Honorable C. H. Grosvenor in Reply to Recent Attacks on The Civil Service Law and Rules* (1897).

⁴⁰Fish, *op. cit.*, pp. 239-243; C. E. Merriam, *American Political Ideas*, pp. 276-277 (1920); Theodore Roosevelt, *Theodore Roosevelt, An Autobiography*, pp. 138-142 (1914).

⁴¹Roosevelt, *op. cit.*, p. 138; *Civil Service Record*, Vol. X, pp. 88-89 (1891).

hostile to the merit system. It refuses to repeal the Four Years' Law and Senatorial confirmation needed to bring a number of positions within the classified service; it has in only a few instances extended the system by legislation;⁴² and the interference of Congressmen in appointments of postmasters and other local officers is the one obstacle to placing these officers on a merit basis.

In 1912 a systematic effort was made to subvert the merit tenure for civil service employees. The legislative, executive, and judicial appropriation bill of that year, introduced in the House on May 1, contained a rider in section 5 providing for a five-year term of office for all federal employees in Washington. The argument in favor of the rider was that it would increase departmental efficiency by allowing department heads to weed out periodically incompetent employees. On May 10 the bill was passed by the House with little debate. The League protested against the bill as a "measurable return to the spoils system. . . . The bill, if it becomes a law, will mark the first step backwards through legislation since the passage of the Pendleton Act in 1883. It must be defeated and the League calls on all friends of the merit system to use their influence with Senators and Representatives to have section 5 stricken from the bill."⁴³

In the Senate, due to the energetic campaign made by the League, section 5 was stricken from the bill, and a new section establishing an efficiency system for promotions, reductions, and dismissals was added. On August 2 the bill came from the conference committee with the old section 5 practically restored, this time providing a seven-year term of office for employees in the District of Columbia. The section for an efficiency system remained in the bill. Despite the efforts of the League to defeat the measure, it was passed by both houses. At a conference with League officials on August 10 President Taft agreed to veto the bill

⁴²Mayers, *op. cit.*, p. 105. The law classifying the employees of the Prohibition Enforcement Bureau and the law for the reorganization of the Foreign Service should be noted here.

⁴³*Good Government*, Vol. XXIX, p. 65 (1912).

on account of the tenure of office rider and the legislation abolishing the Commerce Court. After the veto both houses passed the bill with the omission of section 5.⁴⁴

Constant vigilance is required on the part of League officials to prevent the inclusion in laws passed by Congress creating new governmental agencies of provisions exempting the employees of the new bureau or commission from the merit system. When the Democrats returned to power in 1913, Congress exempted from the provisions of the civil service law employees in a number of new agencies created by legislation. Thus, Congress provided that the positions in the field force of the income tax bureau should be outside the classified service for two years, the appointments to be made under regulations to be drawn up by the Secretary of the Treasury. A rider was also attached to the Urgent Deficiency bill which removed from the classified service deputy collectors of internal revenue and deputy United States marshals. Other positions exempted from the civil service law were the employees of the Federal Reserve Board, the Federal Trade Commission, those to be appointed under the Agricultural Credits bill, and the fourteen commercial attachés of our foreign ministries.⁴⁵ The League fought these exemptions in Congress and condemned them as backward steps in resolutions adopted at the annual meetings.⁴⁶ At every session of Congress the League is called upon to protest against the exemption of employees from new agencies proposed to be created.⁴⁷

The problem which confronts the League in working with Congress is well illustrated by the following letter from the Secretary to the President of the League.

We can count the real friends we have in Congress on the fingers of two hands. In fact there are only two men, Morton D. Hull, in the House, and William C. Bruce, in the Senate, who

⁴⁴*Ibid.*, pp. 73, 89.

⁴⁵United States Civil Service Commission, *Annual Report*, Vol. XXXI, pp. 45-48 (1915).

⁴⁶*Proceedings of the League*, 1913, pp. 68-69; 1914, p. 76.

⁴⁷*Field Department Bulletin*, 1924-1927, *passim*.

are thoroughly committed to support of the League's propositions in every respect. Others upon whom I should depend for some support are Lehlbach, Mapes, Tinkham, Madden, Burton, Cooper, Temple, Hardy, Mills, and your friend Rathbone in the House; and Fess, Capper, Borah, Couzens, Norris, Underwood and Ralston in the Senate. There are a number of others, like Smoot and Stanfield in the Senate, and Will R. Wood and Nicholas Longworth in the House who would support us if it fitted in with their personal program to do so. But, generally speaking, I would bulk all of the others in one class, and call them a very uncertain quantity.⁴⁸

VETERAN PREFERENCE

*In the Federal Service.*⁴⁹ Realizing that preference for the war veterans would constitute a perplexing post-war problem, the Council of the League on December 13, 1918, took up the discussion of veteran preference and authorized the appointment of a special committee to make a study of the situation.⁵⁰ At a meeting of the Council held February 8, 1919, to consider the report of the special committee the following resolution was adopted:

We advocate full credit for military and naval training and experience in competitive tests for the civil service, having due regard to the duties of the positions, but we oppose any fixed credit by the legislature or any arbitrary rating.

We oppose any arbitrary preference for any class of candidates, or any change in the position of any candidate on any eligible list not based upon his ascertained merit and fitness.⁵¹

An eleventh hour rider attached to the Census bill passed by Congress in February, 1919, provided that

⁴⁸Marsh to Catherwood, July 17, 1925.

⁴⁹For a discussion of military preference in the federal service, see Mayers, *op. cit.*, pp. 406-413; United States Civil Service Commission, *Annual Report*, Vol. XXXVI, pp. xvi-xix (1919); Vol. XXXVIII, pp. xvii-xxi (1921); Vol. XXXIX, pp. xv-xvii (1922); Vol. XL, pp. xiii-xv (1923).

⁵⁰Minutes of the Council, December 13, 1918, p. 5.

⁵¹Good Government, Vol. XXXVI, p. 55 (1919).

. . . hereafter in making appointments to clerical and other positions in the executive departments and in independent governmental establishments preference shall be given to honorably discharged soldiers, sailors, and marines, and widows of such, if they are qualified to hold such positions.⁵²

The League in a letter to President Wilson on February 13, 1919, asked the President to veto the Census bill on account of its spoils provisions and on account of the preference rider. Nevertheless the President signed the bill.⁵³

At the annual meeting of the League on April 11, 1919, the position of the League with reference to veteran preference was restated:

The National Civil Service Reform League favors the most ample direct recognition of the men and women who have served their country in time of war. It believes that full account of experience and special aptitudes developed by war service should be taken in testing the ability of candidates for civil administration. But it opposes all forms of arbitrary credit or preference which pass over those demonstrating their superior fitness for public work and entrust the people's business as a reward for other virtues to persons of inferior qualifications.⁵⁴

The Urgent Deficiency Act, approved July 11, 1919, provided that

. . . hereafter in making appointments to clerical and other positions in the Executive branch of the Government in the District of Columbia or elsewhere preference shall be given to honorably discharged soldiers, sailors, marines, and widows of such and to the wives of injured soldiers, sailors and marines who themselves are not qualified, but whose wives are qualified to hold such positions.⁵⁵

At the meeting of the Council on April 13, 1921, the Chairman of the Council was authorized to appoint a committee of three to investigate the operation of veteran preference provisions in national, state, and local services.⁵⁶

⁵²40 Stat. at L. 1293 (1919).

⁵³*Good Government*, Vol. XXXVI, pp. 49-50, 53-55 (1919).

⁵⁴*Proceedings of the League*, 1919, p. 4.

⁵⁵41 Stat. at L. 37 (1921).

⁵⁶*Minutes of the Council*, April 13, 1921, p. 1.

The annual meeting the following day adopted this resolution:

The League records its most serious apprehension at the enactment of so-called veteran preference statutes and ordinances throughout the country. The League, while believing that the nation should suitably reward the veterans of the late war, protests against any standard for admission to the public service other than ability to perform the work required as being an insidious attempt on the part of politicians to resurrect the spoils system under cover of sham patriotism. Unless this movement is checked, the effectiveness of the League's work to substitute the test of merit for the traditional distribution of spoils will be seriously lessened, if not wholly nullified.⁵⁷

The Committee on Veteran Preference reported to the annual meeting on November 16, 1921, on its investigation of the veteran preference provision in the federal service. From its investigation of over fifty eligible lists representative of different types and classes of positions in all departments of the Government, the Committee found that "in only fifteen of them did the highest veteran come out at the top of the list. In other words, in three-quarters of the eligible list the appointing officer was compelled to skip a number of non-veterans at the head of the list who would normally be entitled to appointment. On many of the eligible lists the appointing officers were compelled to skip over the non-veterans (highest on the eligible lists) in order to reach the first highest veteran to be appointed." The conclusion of the Committee was that "the preference provision in the Federal Law is already proving to be detrimental to the administration of the merit system and a handicap in efficiently conducting the government's business." The report continued:

It is difficult at this time to appreciate the full effect of the veteran preference provision in the federal civil service. Though it is often spoken of as a preference in certification only, in practice it works out as an absolute preference in appointment, except in the more technical and scientific positions where but

⁵⁷ *Proceedings of the League*, April 14, 1921, p. 16.

few veterans apply. It is not difficult to foresee the ultimate effect that such preference provision may have on the administration of the civil service. As the number of vacancies becomes limited we may expect to find that the appointments will go largely to veterans to the exclusion of non-veterans. As time goes on and the better class of veterans are absorbed by private industry or follow their respective professions, the less qualified veterans will be the ones primarily available and who will seek positions in the civil service.⁵⁸

On March 3, 1923, President Harding issued an executive order restricting the preference given to veterans under the Act of July 11, 1919, to five points for veterans and ten points for disabled veterans. An appointing officer passing over a veteran and selecting a non-veteran with the same or lower rating must place his reason for doing so in the department's records. Veterans are released from all age limitations and requirements of apportionment among the states, and from many of the physical requirements. Reductions in the classified service shall not affect veterans whose records are good.⁵⁹

The League, through its Executive Committee, issued the following statement:

The National Civil Service Reform League commends President Harding for the construction which he has recently placed on the veteran preference act of July 11, 1919. The former construction which the Civil Service Commission felt obliged to adopt resulted in preferring for appointment the veteran who was barely qualified for a place on the eligible list ahead of the most competent civilian. That is, the veteran received 35 points or as much of them as he needed, to stand at the top of the list. By this order of President Harding, a reasonable credit of five points for veterans generally and of ten points for wounded veterans is substituted for the possible 35 points which has been demoralizing the service. Thus the practical efficiency of the service is protected.⁶⁰

⁵⁸*Ibid.*, November 16, 1921, pp. 67-78.

⁵⁹United States Civil Service Commission, *Annual Report*, Vol. XL, pp. 148-150 (1923).

⁶⁰*Good Government*, Vol. XL, pp. 24-25 (1923).

*In State Service.*⁶¹ Among the state associations the New York Civil Service Reform Association has been active in its opposition to veteran preference. The Association has been successful in the courts and at the polls. In 1920 the New York Legislature enacted a law giving a preference in promotion to veterans returning from military service. If promotion examinations had been given in their absence, they were to be permitted to take a special examination, which, if passed, entitled them to a place at the head of the eligible list, with preference over all others. Veterans were to be given the medium salary for the highest grade to which they might be promoted.⁶² The Association decided to institute a test case to decide the power of the Legislature to grant preference other than that provided for in the State Constitution. A writ of mandamus was applied for to compel the police commissioner to appoint the first person on the eligible list instead of a veteran. Mr. Albert de Roode, a member of the Law Committee of the Association, argued the case before the Supreme Court of New York County, which denied the application for the writ. The Appellate Division unanimously affirmed the decision, Mr. de Roode again arguing the case for the Association. Before the Court of Appeals, Mr. Samuel H. Ordway, President of the Association, argued the case, and the Association's brief was signed by Messrs. Ordway, de Roode, and Elihu Root, a Vice-President of the Association. The Court of Appeals on July 14, 1921, held that the preference given in the Constitution was for Civil War veterans alone, and that the Legislature could not extend it to World War veterans. The decisions of the lower courts were unanimously reversed and the statute declared unconstitutional. The Executive Committee of the New York Association pronounced the decision "one of the most important civil service cases since the enactment of the law in 1883."⁶³

⁶¹For the extent of veteran preference throughout the country, see *Proceedings of the League*, November 16, 1921, pp. 72-78.

⁶²See Laws of 1920, chap. 282.

⁶³*Barthelmess et al. v. Cukor et al., Municipal Civil Service Commission of the City of New York*, 185 New York Supplement, 191

The New York Legislature in 1919 and again in 1921 passed a proposed amendment to the State Constitution giving a preference in appointment and promotion in the civil service to veterans of all wars. This amendment was to be voted on by the people on November 8, 1921. The Association took prompt steps to organize a campaign for the defeat of the amendment at the polls. A call for a conference of representatives of civic and commercial organization and civil service employees resulted in a meeting on May 2, 1921. A Committee Against Veteran Preference was organized, supported by fourteen civic organizations, four organizations of employees in the Police Department, five in the Fire Department, three in the Department of Education, six in the Department of Street Cleaning, and three other associations of patrolmen and firemen. A working executive committee was selected, office space was secured in the office of the Civil Service Reform Association, and work on the plan of campaign was begun as early as June 15.⁶⁴

After a preliminary survey of the situation in July, representatives were put in the field to work with organizations and individuals. This organization work was supplemented by publicity work through the newspapers, the distribution of leaflets discussing the amendment, circularization of individuals and organizations, the holding of meetings, the securing of endorsements by organizations and individuals, and getting the coöperation of local organizations. An idea of the activity of the Committee may be derived from its expenditure of \$21,825.38 from June 6 to November 25, 1921.

One leaflet entitled *Nothing But the Truth* lists the reasons why the amendment should be defeated:

(1921); *Report of the Executive Committee of the Civil Service Reform Association*, New York, 1921, pp. 17-18; 1922, pp. 7-8; *Good Government*, Vol. XXXVII, pp. 174-176 (1920).

⁶⁴*Report of the Executive Committee of the Civil Service Reform Association*, New York, 1920, pp. 6-8; 1921, pp. 5-10; 1922, pp. 5-7.

Because

It provides a sweeping preference in appointment and promotion in the civil service for veterans of any war.

It creates a preferred class within the Republic and brands millions of good, law-abiding and patriotic citizens less worthy to hold public positions.

It is a menace to the efficient conduct of public affairs in that men of proved inferiority, according to the standard of examination, will be preferred over others who are certified as better qualified for certain duties.

It creates a military office-holding class.

It promotes employees over their fellows because they wore service uniforms.

It shuts out of public employment those who did not wear service uniforms.

Its victims are women, farmers, shipbuilders, munition workers, policemen, firemen, letter carriers, teachers, etc., etc., and those too young to serve in the army and navy.

It destroys the basic principle of the merit system—that public office is a public trust awarded according to proved capacity.

It impairs the efficiency of the civil service and raises the cost of administration.

It virtually excludes women from obtaining civil service positions in the future.

It sacrifices the basic principle of democratic equality for the creation of a permanent and favored official class.

It leaves no opportunity of public service for the next forty years to men born after 1896 and to men born prior to 1885, thus excluding from participation in the public service a whole generation of American citizens.

The amendment was defeated on November 8, 1921, by a majority of 390,721 in the largest vote ever cast on a constitutional amendment in New York State, and, as the Executive Committee of the Civil Service Reform Association said, "The worst blow ever aimed at that system in the 40 years of its existence in the government of New York State has been averted."⁶⁵

This account of the defensive work in behalf of the merit principle should not be closed without reference to the situ-

⁶⁵*Ibid.*, 1922, pp. 5-7, 17-25; New York State Civil Service Commission, *Annual Report*, Vol. XXXIX, pp. 12-18 (1922).

ation in two other states—Connecticut and Illinois. In 1913 Connecticut enacted a civil service law. A Republican administration came into power in 1915, and the Legislature, over the vigorous protests of the Connecticut Civil Service Reform Association, practically emasculated the law. In 1917 and in 1919 the Republican majority in the Legislature attempted to repeal the law, while the local association attempted to strengthen it. A repealing act was passed in 1921. Bills to reestablish the merit system, drafted by the local association, failed to pass the Legislature in 1923 and 1925.⁶⁶

The civil service situation in Chicago and Illinois during the last decade affords a striking illustration of the methods by which a good system can be wrecked by spoils administration. In 1915 Chicago had an excellent civil service system surpassed by no city in the United States. The story of the wrecking of that system during the eight years of Mayor Thompson's Administration cannot be told here.⁶⁷ The Chicago Civil Service Reform Association carried on a constant campaign against the spoils raid, but with little result. Improvements were secured under the administration of Mayor Dever from 1923 to 1927, but Mayor Thompson's return to power affords no encouragement to the friends of reform. In the state service the enforcement of the law under Governor Small's Administration has been in the hands of avowed enemies of the merit system. Against these conditions the local reform association has waged a persistent, if ineffective, campaign.⁶⁸

Thus the League, throughout its long history, has been engaged in almost constant fighting to protect the merit system from evasion, subtraction, and the infusion of politics. Fighting the spoilsmen, defending and parrying, up-

⁶⁶*Good Government*, Vol. XXXII, pp. 26-27, 30, 34, 35 (1915); Vol. XXXVIII, pp. 45-47 (1921); Vol. XL, pp. 37-39 (1923); Vol. XLII, pp. 55-56 (1925).

⁶⁷J. B. Kingsbury, "The Merit System in Chicago from 1915 to 1923," *Public Personnel Studies*, Vol. IV, pp. 306-319 (1926).

⁶⁸*Good Government*, Vol. XXXVI, pp. 151-155 (1919); Vol. XXXVIII, pp. 85-86 (1921); Vol. XL, pp. 85-86 (1923).

holding at all times the true standard of reform and advancing against the continual and insidious encroachments by parties, individuals, and cliques, constitutes a splendid record of achievement by a fighting organization.

Nor is this phase of the League's work any less important now than formerly. The spoilsman are more cautious, but are still a constant threat. The events just reviewed demonstrate the need for an alert and resolute agency to meet all attacks upon the merit system. Fighting the spoils-men must continue to be a major activity of the League.

CHAPTER VII

PERSONNEL ADMINISTRATION

The first decade of the twentieth century witnessed a widespread demand for reform in governmental organization and methods with a view to efficiency and economy. The expansion of population, the development of industry and commerce, the results achieved by modern industry in producing efficiency at minimum costs, the growing burdens of government, and the demand for economy in expenditures, led to a nation-wide movement for governmental reform which would adapt to the public service the organization and methods approved by the most successful private enterprises.¹

This new movement assumed several forms. One related to forms of government and expressed itself in the commission and city manager plans of municipal government and in reorganized state administration.² Another concerned itself with improvements in methods and procedure and was responsible for the introduction of budget systems and scientific methods of accounting, reporting, and filing.³ The third phase of the efficiency movement dealt with the personnel problem, and it is with this aspect of the movement that we are particularly concerned here.

Chicago led the way in 1909 with the classification and standardization of public employment, a movement designed to remedy the inequalities in the public service by establishing an equitable salary scale.⁴ Today classification

¹See G. A. Weber, *Organized Efforts for the Improvement of Methods of Administration in the United States* (1919).

²T. S. Chang, *History and Analysis of the Commission and City-Manager Plans of Municipal Government in the United States* (1918).

³F. A. Cleveland and A. E. Buck, *The Budget and Responsible Government* (1920).

⁴Bureau of Municipal Research, New York, *Standardization of Public Employments*, Bulletins Nos. 67 (1915) and 76 (1916); W. C. Beyer, "Employment Standardization in the Public Service," *National Municipal Review*, Vol. IX, pp. 391-403 (1920).

and standardization have been absorbed into a new science of public personnel administration which includes in its program scientific methods of stimulating the morale and welfare of employees, of devising new techniques of examination and measuring individual efficiency as a basis for advancement and promotion, of providing protection of the employee against unwarranted discipline or removal, and of establishing sound systems of retirement from the public service.⁵

Students of public administration are accustomed to refer to this latter movement as the positive, constructive side of civil service reform as contrasted with the negative aspects of reform in the period of thirty years following the enactment of the federal law of 1883. In the first period reform meant keeping politics out of the appointment and removal of public employees. The *political* aspect of reform was predominant. Today the emphasis is gradually shifting to the positive, constructive phase of employment management designed to make the public service an attractive career for trained and competent people. The *administrative* or *efficiency* aspects of reform are receiving more and more attention.

We are not concerned here with a discussion of the personnel management movement, but with the League's attitude toward this newer phase of civil service reform. Specifically our problem is to answer these questions: What has been the contribution of the League to the personnel management movement, and what have been its relations with the agencies engaged in the work of public personnel administration?

It was in 1909 at the annual meeting in New York that the newer tendencies in the civil service were first dis-

⁵Governmental Research Conference, *The Character and Functioning of Municipal Civil Service Commissions in the United States* (1922); "Employment Management in Municipal Civil Service," *National Municipal Review*, Vol. XII, pp. 442-513 (1923); W. E. Mosher, "The Next Step in Civil Service Reform," *National Municipal Review*, Vol. X, pp. 386-391 (1921); L. D. White, *Introduction to the Study of Public Administration* (1926).

cussed to any degree. In his annual address President Charles W. Eliot stressed the importance of an adequate system of retiring the disabled and the superannuated, and suggested that emphasis should be placed on the economic value of the merit system. He said: "The goal of civil service reform is a public service, national, state, and municipal, exclusively composed of men, each of whom possesses the knowledge and skill needed for his own task, well disciplined, devoted to their work and to the public authority which employs them, and regarding their occupation as an honorable and satisfactory life career."⁶ At the same meeting Mr. Walter L. Fisher of Chicago read a paper entitled *Efficiency and Civil Service Reform*.⁷ Mr. Robert Catherwood, President of the Chicago Civil Service Reform Association, outlined the efforts of his association to secure the adoption by the Chicago Civil Service Commission of a plan for the maintenance of efficiency records and the conduct of efficiency investigations.⁸ The subject of promotion through the merit system was informally discussed.⁹ The following year President Eliot called attention to the report of the League's committee on promotions, which represented the efforts of the League "to promote the transformation of the national civil service into a business-like organization offering a life career to intelligent and ambitious young people. . . ." Mr. Catherwood described the creation of an efficiency division of the Chicago Civil Service Commission and the significance of its work.¹⁰

In his addresses to the annual meetings in 1912 and 1913 President Eliot reiterated the statement that thorough civil service reform includes provisions for a just method of promotion, for fair tenure of office for officials of proved capacity and for a pension system for employees of long service.¹¹ In 1914 Mr. William B. Hale, Vice-President of

⁶*Proceedings of the League*, 1909, pp. 65-81.

⁷*Ibid.*, pp. 82-90.

⁸*Ibid.*, pp. 107-118.

⁹*Ibid.*, pp. 166-175.

¹⁰*Ibid.*, 1910, pp. 65-74, 163-175.

¹¹*Ibid.*, 1912, p. 107; 1913, p. 82.

the Chicago Civil Service Reform Association, read a paper, *A Constructive Program for the National Civil Service*, at the annual meeting, in which he suggested that the League should formulate a program for the employment policy of the Government including provisions not only for the elimination of politics from the civil service but also for selecting all public employees, maintaining the efficiency and economy of the service, and providing for the retirement of the unfit and the pensioning of the superannuated.¹²

President Dana's address to the annual meeting of the League in 1915 was entitled *Democracy and Efficiency*. Emphasizing the importance of the question of efficiency in the public service, he said:

Heretofore the main efforts of the National Civil Service Reform League have been directed to the selection of fit persons for appointment. In this way we save in the national civil service alone at least thirty millions a year over the spoils system as based upon calculations officially made. . . .

We believe that the civil service system should no longer be limited to the selection of fit persons for entrance, but should be extended to cover the whole subject of efficiency in the government service. That means the getting rid of the incapable and bracing up the others. As a part of any expert government service, there should be a branch devoted to scientific management and efficiency engineering. Through this branch of the service salaries and work in all departments will be standardized, titles made to fit duties, the supernumeraries got rid of, those who repeatedly fall below a reasonable per cent of efficiency standards dropped automatically, those who show more than average efficiency awarded promotion for which their education and capacity fit them. Group efficiency will be measured and responsibility for its falling off put upon the persons at fault. We claim that the proper place for this branch of the service is a bureau of the civil service commission.¹³

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On the same program President Eliot addressed the meeting on the subject *Can the Civil Service of a Democracy Be Made Efficient?* After pointing out the necessity for some agency to have supervision over questions of efficiency and

¹²*Ibid.*, 1914, pp. 155-168.

¹³*Ibid.*, 1915, pp. 49-50.

discipline he said: "The National Civil Service Commission might be made such an inspecting and supervising agency, if its own members were invariably appointed on the merit system, that is, on evidence of character, ability, and appropriate experience. It might then be given authority to advise and propose action concerning promotions, demotions, and dismissals throughout all departments of the public service, to employ inspectors and recorders enough to keep accurate account by service cards, efficiency records, and similar means, of employees in all Government departments, and to take the necessary measures for maintaining the entire personnel of the civil service in an efficient state. . . ."¹⁴

One of the specific purposes of the Greater Activity Program of the League was "the development of the exercise of efficiency functions for civil service commissions so as to get rid of the incapable, raise the tone of the service, standardize salaries and work and give effect to complaints of any citizens as to the misconduct or inefficiency of public employees."¹⁵

Mention will be made below of the movement to establish a Service Bureau for Civil Service Commissions in the office of the League and the employment of a staff examiner for a few months in 1917.¹⁶ While the Great War postponed this phase of the League's work, it greatly emphasized the importance and necessity of efficiency in public administration. The League constantly called attention in its literature to the fact that the winning of the great struggle demanded the highest efficiency in the public service. And after the War Mr. Dana, in his addresses before the League and elsewhere, stressed the point that the enlarged program of the League planned not only for guarding the entrance and securing good subordinates but also after entrance for making and keeping the service fit.¹⁷

¹⁴*Ibid.*, p. 58.

¹⁵*Minutes of the Council*, January 28, 1916, p. 7.

¹⁶*Infra*, pp. 219-220.

¹⁷*Proceedings of the League*, 1919, p. 59; 1920, pp. 50-51; April 14, 1921, p. 20; November 16, 1921, p. 57; 1922, p. 19.

Let us turn now to a consideration of some of the newer phases of government efficiency as involved in personnel administration and analyze the problems as far as the League's relation to them is concerned. This will involve a discussion of such problems as superannuation and retirement, reclassification, reorganization of the foreign service, removals, the question of a new federal employment law, and the relations of the League to the newer agencies of public personnel administration and to the civil service employees.

SUPERANNUATION AND RETIREMENT

The question of superannuation in the civil service was brought before the annual meeting of the League in December, 1895, by Mr. William Dudley Foulke. Mr. Foulke urged consideration of the matter and the adoption of remedial measures before the evils of superannuation should become formidable. Nothing was done at this time, but on October 4, 1899, a special Committee on Superannuation was appointed, consisting of William Dudley Foulke, Richard Henry Dana, and Silas W. Burt.¹⁸ Report of progress was made at the annual meeting in 1899 and a final report was made at the annual meeting in December, 1900. After considering eight possible remedies the Committee unanimously recommended as the best remedy a system of life insurance on the deferred annuity plan to be required of all employees during probation, as a prerequisite to final appointment, the policies to be non-assignable and in Government control and to be secured by deposits from the insurance companies, also in Government control. Details should be worked out by a special commission of civil service commissioners and department officials and the proposed plan should be enforced in the beginning in only a part of the classified service, being in the nature of a test.¹⁹

¹⁸W. D. Foulke, *Fighting the Spoilsman*, chap. 8 (1919); *Proceedings of the League*, 1895, pp. 76-80.

¹⁹*Proceedings of the League*, 1900, pp. 41-53.

In 1901 and again in 1906 and 1907, the Committee repeated the recommendation that persons hereafter appointed to positions in the classified service should file with the Government a deferred annuity policy. The Committee emphasized the fact that the problem of superannuation was in no sense an outgrowth of the merit system and pointed out that the extent of superannuation had been exaggerated and that there was no necessity for a pension fund with the Government as paymaster.²⁰

A report to the Council was made again in 1909, the Committee indicating its view that the removal of the evil of superannuation from the civil service should be considered as part of a comprehensive and well thought out plan to raise the standard of efficiency of the civil service. The Committee recommended that annuities should be based principally upon compulsory contributions from the employee's salary which, when invested under the supervision of the Government at a reasonable rate of interest compounded annually, would be sufficient to provide the annuity. The Government should guarantee the fund and pay for its cost of administration. Individual accounts should be kept of the contributions of each employee. In case of his voluntary separation before the age of retirement his contribution should be returned with simple interest. The Committee also declared that the Government should place the employee already in the service on an approximate parity with those entering the service hereafter, *i.e.*, pay for the cost of the present superannuation.²¹

Explaining the change in the Committee's recommendations, Mr. Foulke says:

The proposition of the League for deferred annuity policies to be issued by insurance companies (which has always seemed to me the best) was not, however, popular in Congress, and a variety of bills were introduced, mostly impracticable, proposing deductions from salaries which would in the end be found inadequate. The committee on superannuation therefore, seeing

²⁰*Ibid.*, 1901, p. 40; 1906, pp. 187-203; 1907, pp. 63-95.

²¹*Ibid.*, 1909, pp. 91-98.

the trend of probable legislation, considered it wiser to suggest what this legislation should be in case Congress should decide (as seemed probable) that provisions for old age should be made directly by the government instead of by insurance companies.²²

The report of the Committee in 1911 followed in the main its recommendations of 1909 but went beyond them in declaring in favor of proper and adequate compensation for each employee in the civil service for his services at the time the services are rendered. If this is done, there is no reason for the Government to add to such salary a pension for life, at great expense to the taxpayers. If salaries are not adequate to permit the employee to lay by a sufficient saving against old age, advances in salary or compensation should be made. The report also held that retirement for disability due to accident incurred in line of duty should be entirely at the expense of the Government.²³

A restatement of the League's position on retirement was made by the chairman of the League's Committee on Superannuation at a meeting of the Council in February, 1915. At the annual meeting in Chicago in December, 1914, a resolution had been offered committing the League to "the principle of retirement allowances for members of the national classified service." The statement of the chairman, Mr. Deming, reviewed the position taken by the League in its reports on superannuation in 1909 and in 1911, and pointed out that all of the retirement systems which had been advocated in the last few years in Congress were straight pension systems and made no provision for contributions by employees.²⁴

The Council meeting in March, 1917, heard a report from the chairman of the Committee on Superannuation on the Pomerene Retirement bill. "In the opinion of the chairman of the Committee, this bill embodied the principles which the League's special Committee on Superannuation has advocated for many years. In substance the bill proposed a

²²Foulke, *op. cit.*, p. 108.

²³*Good Government*, Vol. XXIX, pp. 17-19 (1912).

²⁴*Minutes of the Council*, February 4, 1915, pp. 2-3.

plan of retirement based upon compulsory contributions and retirement at the age of seventy years or after twenty years' continuous service. Provision is also made for the immediate retirement of all employees who have reached the age limit fixed by its terms. Deductions from the salaries of the employees, not to exceed 8 per cent with interest at 4 per cent compounded annually, would be carried as individual accounts, subject to investment by a board of which the secretary of the treasury should be one member. The annuity should consist of one-half of the average salary, not to exceed \$600 per annum." The chairman believed that the bill should be amended to make clear that whatever the character of the employee's separation from the service might be, moneys paid in by him would be restored. After some discussion the general principles of the bill were approved and referred back to the Committee for further report.²⁵

A report was made by the Secretary to the meeting of the Council in December, 1918, on the McKellar-Keating Retirement bill. The President of the League had appeared in opposition to the bill at the hearing before the Senate Committee and the League had communicated with influential members of the Senate after the bill had been reported from committee.²⁶ The League had had the bill analyzed by an actuary and had on September 19 sent a letter to President Wilson regarding it. "The bill is based on no actuarial study, is inequitable as among different grades of employes, and would burden the Treasury to an extent that has not even been estimated. It contemplates that the Government will pay out of the public Treasury the cost of the present superannuation, amounting approximately to \$2,000,000 [sic]. It goes further: by a vicious flat rate system of contributions and a limit to the annuity it forces the higher salaried employes to contribute far in excess of the cost of their pensions, and also requires that the Government shall contribute in many cases 50 to 70 per cent of the cost of the

²⁵*Ibid.*, March 16, 1917, pp. 5-6.

²⁶*Ibid.*, December 13, 1918, p. 4.

annuities. A deferred annuity system in whole or in part cannot fail to make removals difficult and give employes a vested right in their positions."²⁷

The McKellar bill was defeated in the Senate; the Pomerene Retirement bill which was strictly contributory except with respect to present incumbents, and which followed closely the recommendations of successive superannuation committees of the League, was substituted for it.²⁸

At the meeting of the League Executive Committee on June 24, 1919, the Secretary made an analysis and criticism of the Lehlbach-Sterling Retirement bill which had been introduced in Congress. The bill was based largely upon the McKellar-Keating bill. It was objectionable, he said, because it provided for a flat rate of contribution by the employee, the higher paid employees being penalized for the sake of those drawing lower salaries. There was not only no provision for accrued liabilities, but all of the contributions of the employees were to be thrown into one fund and were not to be kept separate and distinct. No mention was made in the bill regarding the Government's share, but it was assumed that inasmuch as the contributions of the employees would not begin to meet the obligations established by the bill, the Government must contribute a substantial amount to maintain the system. Eventually the Government must pay more than 60 per cent of the cost of retiring each employee.

The Executive Committee voted to transmit to the Senate Committee an analysis of the bill and to oppose it strongly, and the President of the League was requested to confer with Senator Sterling on civil service legislation and especially retirement bills.²⁹ On April 3, 1920, the Sterling-Lehlbach Retirement bill was passed by the Senate and on April 30 by the House of Representatives.³⁰

²⁷ *Good Government*, Vol. XXXV, pp. 155-156 (1918).

²⁸ *Ibid.*, Vol. XXXVI, p. 28 (1919).

²⁹ *Minutes of the Executive Committee*, June 24, 1919, p. 2.

³⁰ 41 Stat. at L. 614 (1921); *Good Government*, Vol. XXXVII, pp. 71, 90-91 (1920). For a summary of the main provisions of the

Since 1895 the League has studied the problem of superannuation and retirement. Always opposed to a straight pension for Government employees, the League first suggested as a solution a plan of deferred annuity policies to be issued by insurance companies. Beginning in 1909 it has recommended a retirement system based on contributions from the employee's salary to be compulsory for all new entrants, the Government paying for the superannuation already earned or partly earned, and the cost of administration of the system. It has opposed all compromise measures, considering the bill passed by Congress such a measure. Tested by League standards, the present law is only slightly better than no law at all.

RECLASSIFICATION

By act of Congress, approved March 1, 1919, a Joint Commission on Reclassification of Salaries, of three Senators and three Representatives, was created charged with the duty "to investigate the rates of compensation paid to civilian employees by the municipal government and the various executive departments and other governmental establishments in the District of Columbia, except the navy yard and the Postal Service, and report by bill or otherwise, as soon as practicable, what reclassification and readjustment of compensation should be made so as to provide uniform and equitable pay for the same character of employment throughout the District of Columbia in the services enumerated."

An Advisory Committee on Employment Policy with representatives of the public, the administrative services, the employees and the Civil Service Commission was created to assist the Reclassification Commission. Mr. Richard Henry Dana, President of the League, and Mr. Robert Catherwood

Act, see L. D. White, *Introduction to the Study of Public Administration*, pp. 345-348 (1926). See also J. T. Doyle, "The Federal Civil Service Retirement Law," *Annals*, Vol. CXIII, pp. 330-338 (1924).

of Chicago, a member of the Council of the League, were appointed on October 1, 1919, as members of the Advisory Committee on Employment Policy as representatives of the public. Mr. Catherwood was appointed chairman of a sub-committee on bill drafting and prepared a bill to carry out the Commission's recommendations.³¹

At the Council meeting in December the President was authorized to appoint a special committee to consider special legislation and executive orders affecting the administration of the federal civil service and particularly the draft of legislation on the part of the Salary Reclassification Commission. The President appointed on this committee Charles G. Morris, New Haven, chairman; Mayo Fesler, Brooklyn; and Russell Whitman, Chicago. Later three more names were added to the original committee: Walter H. Buck, Baltimore; Robert Catherwood, Chicago; and Samuel H. Ordway, New York City.³²

A report was made by the chairman of the Committee on Federal Legislation to the meeting of the Council in June, 1920. He stated that the Committee had written letters to each member of Congress urging favorable consideration of the recommendations of the Commission, but pointing out certain defects in the legislation proposed by the Commission. The chairman suggested that the Committee take up immediately the consideration of the draft of a bill prepared by the Commission with a view to its revision and present recommendations to Congress concerning such legislation. Mr. Catherwood addressed the Council and severely criticised the draft of a bill which accompanied the report of the Reclassification Commission.³³

During the following August, the Secretary of the League had a conference with Senator Harding and left for his consideration a memorandum dealing with conditions in the

³¹*Report from the Congressional Joint Commission on Reclassification of Salaries*, 66th Cong., 2d sess., House Doc. No. 686, pp. 6, 186-187 (1920).

³²*Minutes of the Council*, December 4, 1919, p. 6; June 10, 1920, p. 3.

³³*Ibid.*, June 10, 1920, p. 3; *Good Government*, Vol. XXXVII, pp. 49-59, 79-80, 100-105 (1920).

federal service. Mr. Harding wrote to the League in September stating that its policies were his in respect to the program for improvement of conditions in the federal civil service.³⁴

Several meetings were held by the Committee on Federal Legislation during that summer and fall, and a draft of a bill was submitted to the Council at its meeting in October. The draft was approved and Mr. Catherwood was designated to represent the League at the short session of Congress beginning in December.³⁵

The League's bill was published in a separate pamphlet and distributed to members of Congress.³⁶ As stated in the introduction of the pamphlet:

This bill seeks to establish a national employment system for federal employees based on the merit principles that tenure of office, selection of new appointees, promotion and salaries shall depend upon efficiency and capacity for service.

The bill provides for a system of reclassification of the entire federal civil service to the end that employes shall be paid on the basis of equal pay for equal work; for a system of service records which will form a basis for an adequate promotion system, so that meritorious service shall be rewarded by advancement in the service; for a removal system, so that the service may get rid of the inefficient and worthless; for the certification of payrolls by the Civil Service Commission, thus guaranteeing that employments shall be made according to law; and for a system of centralization of control of employment in the federal civil service covering all changes in status as well as recruiting.³⁷

The League's bill gave to the Civil Service Commission the duty of administering the classification system. It was the clear intent of the bill to make that body the central personnel agency of the Government.

³⁴*Good Government*, Vol. XXXVII, pp. 145-147 (1920). *Supra*, p. 93.

³⁵*Minutes of the Council*, October 28, 1920, p. 2.

³⁶*The Plain Truth about the Federal Civil Service, and What Should be Done about It* (1921).

³⁷*Ibid.*, pp. 8-9; *Good Government*, Vol. XXXVII, pp. 168-171 (1920).

On May 20, 1921, Mr. Catherwood, representing the League Committee on Federal Legislation, appeared at a joint hearing of the Senate Committee on Civil Service and Retrenchment and the House Committee on Reform in the Civil Service on reclassification of the federal service. Mr. Catherwood submitted to the Committees the bill drafted by the League's Committee and urged its acceptance in lieu of the measures before the Committees. He pointed out that the bill was based upon laws already in existence in American states and cities, in foreign countries, and in large business concerns.³⁸

Bills to carry out the recommendations of the Reclassification Commission were introduced in both houses of Congress; in the House, by Messrs. Lehlbach and Wood; and in the Senate, by Senators Sterling and Smoot. There was no difference in principle between the Lehlbach and Sterling bills, but there was a great difference between the Wood-Smoot bill and the Sterling-Lehlbach measures. Each of the three bills named a different body to have charge of classification; the Lehlbach bill named the Bureau of the Budget, the Sterling bill named the Civil Service Commission, and the Wood-Smoot bill named the Bureau of Efficiency. The Lehlbach bill passed the House after the defeat of the Wood-Smoot bill, which was offered as an amendment to it. In the Senate the bill was referred first to the civil service committee, which reported it favorably, and then to the appropriations committee, where it rested for over a year without action. The compromise bill known as the Sterling-Lehlbach bill was finally passed on March 4, 1923.³⁹ The principal compromise provided for an ex-officio Classification Board consisting of one representative each from the Budget Bureau, the Civil Service Commission, and the Bureau of Efficiency to administer its pro-

³⁸*Joint Hearings before the Committees on Civil Service on Reclassification of Salaries*, 67th Cong., 1st sess., pp. 81-87 (1921); *Good Government*, Vol. XXXVIII, pp. 63-65 (1921).

³⁹42 Stat. at L. 1488 (1923).

visions. The pay ranges of the Wood-Smoot bill were adopted with certain modifications.⁴⁰

As finally passed the Classification Act, while not entirely satisfactory from the point of view of the League, was accepted as an experiment and some improvement on the present situation. The League took no action to approve the bill, neither did it oppose it.⁴¹

Complaints that the work of classification of the federal service was not proceeding in a satisfactory manner under the Personnel Classification Board led to the appointment of a Committee on Reclassification of the League to keep in touch with the work of the federal board and to make such recommendations as it deemed advisable. The President appointed on this Committee Messrs. A. S. Faught, of Philadelphia; Robert W. Belcher, and Miss Harlean James, of Washington.⁴²

The report of the Committee was made to the annual meeting in Washington in December, 1923, and was adopted. After reviewing the work of the Personnel Classification Board and the part played by the Efficiency Bureau in that work, the Committee concluded

. . . that the time has come for a complete exclusion of the Efficiency Bureau from any business connected with personnel administration in the federal service. Its attitude and policy in the administration of the Reclassification Act is typical of the influence it exerts in personnel matters.

It was hostile to the work of the Joint Congressional Reclassification Commission, is hostile to the Civil Service Commission, of which it was originally a part, and plays consistently in these matters an obstructive part.

Aside, however, from such considerations as these, the splitting up of responsibility for such fundamental personnel matters as reclassification and efficiency records is bound to retard progress if, in fact, any progress can be made at all. Responsibility properly rests with the Civil Service Commission. Cooperation with other

⁴⁰*Good Government*, Vol. XXXVIII, pp. 8, 63-65 (1921); Vol. XXXIX, pp. 1-4, 35, 176 (1922); Vol. XL, p. 39 (1923); *Congressional Digest*, Vol. II, pp. 206-214 (1923).

⁴¹*Minutes of the Council*, February 28, 1923, p. 1.

⁴²*Ibid.*, October 16, 1923, p. 2.

agencies, particularly with the Budget Bureau, in matters relating to salaries, should be close and persistent. But a sound personnel policy for the government will centralize responsibility in the Commission as the central employment agency, give the Commission the authority and dignity it deserves, and go a long way toward assuring the development of a greatly improved personnel system. With respect to classification, at the earliest possible date the participation of the Efficiency Bureau should be terminated by legislation.⁴³

In 1924 Representative Lehlbach introduced a bill in the House to abolish the Personnel Classification Board and to transfer its functions of administration of the Classification Act to the Civil Service Commission. This bill carrying out the recommendations of the League's special committee was strongly supported by the League, but has not yet been passed by Congress.⁴⁴

In the movement for a reclassification law, the League, as we have seen, took an active part, its committee drafting a complete bill for the reclassification of the federal service. The act as enacted by Congress created the Personal Classification Board to administer the classification system, whereas the League's bill gave this duty to the Civil Service Commission. Investigation of the administration of the law under the Personnel Classification Board by a League committee has strengthened the League's conviction that the Civil Service Commission is the proper agency for classification work. The League is now supporting in Congress bills to effect this change.

THE FOREIGN SERVICE

As early as 1894, at the annual meeting at Chicago, the League began to interest itself in the consular and diplomatic services. In that year Mr. Oscar S. Straus read a paper entitled *The Reform of the Consular Service*.⁴⁵ During the next twenty years the subject was discussed several

⁴³*Proceedings of the League*, 1923, pp. 74-101.

⁴⁴*Good Government*, Vol. XLI, p. 48 (1924); *Field Department Bulletin*, 1924-1927, *passim*.

⁴⁵*Proceedings of the League*, 1894, pp. 97-106.

times at the annual meetings.⁴⁶ A special Committee on Consular Reform, appointed by authority of a resolution of the Council in February, 1903, reported at the annual meeting that year.⁴⁷ The report was in part historical and in part made up of recommendations for (1) a regularly graded classification of the consular service, (2) the fixing of salaries for the higher grades sufficiently adequate to encourage capable men to enter the service, and (3) the establishment of a system of competitive examinations.⁴⁸ In 1905 the Committee reported that it had coöperated in the preparation of a bill which had been introduced in the House by Mr. Adams of Pennsylvania, but had failed of passage. Its most important provisions had been incorporated in a new bill which had been introduced by Mr. Lodge in the Senate. An analysis of the text of the Lodge bill and a comparison with the bill introduced by Mr. Adams was given.⁴⁹ In 1906 the Committee reported progress of a very encouraging character—the Lodge bill reorganizing the consular service had been passed by Congress, and the President had promulgated an executive order supplementing the act in many important details. The Committee believed that the principles of this executive order should at an early date be made permanent by law, but considered it wise to allow some time for development before making further suggestions to this effect.⁵⁰

An oral report of the progress of consular reform under the influence of the merit system of appointment and promotion was made by the Committee to the annual meeting in 1909. Reference was made to the work of several educational institutions in making provision for special courses of instruction for candidates for the consular and diplomatic services. The Committee stated that it would coöperate in this undertaking and also in the movement to

⁴⁶*Ibid.*, 1895, pp. 63-75; 1901, pp. 68-82; 1902, pp. 104-111.

⁴⁷*Minutes of the Council*, February 7, 1903, p. 4.

⁴⁸*Proceedings of the League*, 1903, pp. 60-74.

⁴⁹*Ibid.*, 1905, pp. 88-93.

⁵⁰*Ibid.*, 1906, pp. 76-81.

have the merit system, as applied to the consular and diplomatic services, regulated and protected by an act of Congress.⁵¹ In 1911 the special Committee on Consular Reform presented a report which was intended "to summarize the facts which have now become historic, and to show the general conditions under which these great branches of our government are working, and to prepare the way for a fuller report, after a study of the details and of the growth of the new system."⁵²

Progress during the first few months of the Wilson Administration was commented upon in a report of the Committee in 1913. An examination of changes in the higher diplomatic offices since March 4 showed that many experienced men had been replaced by men of lesser training and experience. The Committee concluded: "Therefore, our aim to improve and make permanent the present system of appointments in the consular service and in the lower parts of the diplomatic service should be accompanied by efforts to secure the establishment of at least a merit tradition and the higher ideals which it involves, if not a fixed merit system, for the higher posts."⁵³ The report of the Council to the annual meeting in 1915 pointed out progress in the reform of the foreign service by the passage of the Stone bill providing for the classification of the diplomatic secretaries and consular officers in grades, and the assignment of the members of the service to these grades. A resolution was adopted urging "the extension by law of the merit principle to the consular service and diplomatic secretaryships, so far as consistent with the Constitution."⁵⁴ At the next annual meeting, a resolution was adopted expressing "earnest remonstrance against the bestowal of high offices in the diplomatic service in return for large contributions to campaign funds."⁵⁵

⁵¹*Ibid.*, 1909, pp. 99-101.

⁵²*Ibid.*, 1911, pp. 134-138.

⁵³*Ibid.*, 1913, pp. 114-118.

⁵⁴*Ibid.*, 1915, pp. 33-36, 44.

⁵⁵*Good Government*, Vol. XXXIV, p. 3 (1917).

At the annual meeting in New York City, in 1918, the following resolution was adopted:

In the conditions of intense national and international activity that will follow the war, it is of the utmost importance that the United States should be organized, within and without, to speak and act unitedly and effectively. Not only must our civil service at home be established on a sound basis of ascertained merit, but in our foreign service we must be represented by men of special fitness for the work. Provision should be made by law for selecting and promoting diplomatic, consular and commercial representatives for ability and experience solely. Our foreign service, taken out of politics, must be made an attractive career for competent men. Democracy, saved from outside aggression, must be protected from enemies at home, still seeking to inject politics and favoritism and the old spoils system into these most important branches of the public service.⁵⁶

The War Committee of the League, in its report to the Council in July, recommended that "the League advocate the extension of the merit principle to all grades of the consular and diplomatic services."⁵⁷

In July, 1918, the Committee on Consular and Diplomatic Service of the League was reorganized and called the Committee on Foreign Service, with Mr. Ellery C. Stowell as chairman and Messrs. Ogden H. Hammond and Ansley Wilcox as members. Mr. Richard Henry Dana, President, and Mr. George T. Keyes, Secretary, were members of the Committee, ex-officio. The Committee began, that summer, an intensive study of the conditions of the foreign service. Its recommendations, after receiving the approval of the Council and Executive Committee, were circulated among numerous organizations and individuals interested in the foreign service and constructive suggestions solicited. When these had been received, a preliminary statement of thirty-two pages was distributed to members of Congress, chambers of commerce, and the press. The final report of the

⁵⁶*Ibid.*, Vol. XXXV, pp. 73-74 (1918).

⁵⁷*Ibid.*, p. 118.

Committee, a document of 322 pages, was published late in September, 1919.⁵⁸

Twelve recommendations for the improvement of the foreign service are given first, followed by a detailed discussion of each recommendation, with illustrative material on the needs of the service, in appendices.

The principal recommendations of the Committee requiring immediate legislative attention were as follows:

1. The improvement of the entrance examinations for the foreign service and the placing of them more strictly upon a merit basis;
2. The purchase of embassies, legations, and consulates;
3. An increase in salary schedules in all branches of the foreign service;
4. The extension of the merit system of promotion to the selection of ministers.

Other recommendations included the abandonment of the "State Quota" rule; selection of representatives at International Conferences more largely from the foreign service and from Government experts; the Americanization of the consular service by the appointment by examination of salaried vice-consuls, to serve in place of foreigners now acting as consular agents and consular clerks; the reclassification of the foreign service; publication of a Foreign Service Annual by the Department of State; improvement of the organization and personnel of the State Department with more adequate compensation; careful definition of the relations between the various agencies of control of foreign affairs, particularly the Department of State and the Department of Commerce; and, finally, legislation covering these recommendations with executive orders to supplement and complete such legislation.⁵⁹

Immediately after the issuance of the report a campaign of education was undertaken by the League to arouse public opinion to the necessity for the reorganization of the diplomatic and consular services as outlined in the report of

⁵⁸*Ibid.*, Vol. XXXVI, p. 137 (1919).

⁵⁹*Report on the Foreign Service*, pp. 11, 18-20 (1919).

the League's special Committee on the Foreign Service. *Good Government* thus outlines this campaign: "Summaries of the report were brought to the attention of some 900 newspapers and 2,300 Chambers of Commerce, banks and other trade organizations in all sections of the country. Resulting press notices, editorial comments, and resolutions of support have been commendatory and enthusiastic. All Members of Congress, all Consuls, Ambassadors and Ministers and many Government officials were notified. Influential journals have reviewed the report favorably."⁶⁰

In December, 1919, a Joint Committee on Foreign Service composed of representatives of the National Foreign Trade Council, the American Manufacturers' Export Association, and the League was organized to carry out the League's recommendations by drafting and securing the passage of appropriate legislation by Congress. Mr. W. W. Nichols, of the Allis-Chalmers Manufacturing Company, was chosen as chairman and was active in the promotion of the purpose of the Committee, making addresses before a number of trade and professional conventions.⁶¹ A resolution adopted at the annual meeting in 1921 gave the following statement: "The foreign service of the United States continues to be in need of a thorough reorganization on the merit system of appointment and promotion; so as to create in it a career attractive to able and ambitious young men. It should offer ample opportunity to rise to the highest positions."⁶²

In 1922 the Committee on Foreign Service of the League issued a report on the first year of administration of President Harding. The investigation of the records of appointments and promotions of ambassadors, ministers, and agents in the diplomatic service since March 4, 1921, seemed to indicate a tendency to retain experienced men and to appoint qualified persons to diplomatic posts. Five of the nine ambassadors appointed had had previous experi-

⁶⁰*Good Government*, Vol. XXXVII, p. 48 (1920).

⁶¹*Ibid.*, pp. 81-85; Vol. XXXVIII, pp. 1-3, 34-35 (1921).

⁶²*Proceedings of the League*, November 16, 1921, p. 83.

ence in the diplomatic service, while out of the thirty ministers then serving, six had had previous experience in the service and eight were appointees of previous administrations. In the consular service the Committee found that there had not been a single exception to the rules requiring appointments through examination. The average length of service of officers promoted was over ten years, and the average length of service of promoted persons in the secretarial positions in the diplomatic service ranged from six years in the first promotion grade to about twelve years in the highest grade. The Committee urged upon Congress the importance of prompt action on the recommendations made in its report of 1919.⁶³

A bill to improve the foreign service was introduced in the House by Representative Rogers of Massachusetts in 1922, but was lost in the confusion of the last days of the session of Congress. The bill was reintroduced, passed by Congress, and finally signed by the President on May 24, 1924.⁶⁴ President Coolidge the following month issued an executive order to carry out the provisions of the Rogers Act.⁶⁵

In his address at the annual meeting of the League the following December Mr. Samuel H. Ordway, Acting President, congratulated the League upon the progress made during the past year, saying: "The League is to be congratulated upon the passage into law of the Rogers Bill for the reorganization and improvement of the Foreign Service, which took effect on July 1, 1924. This Act constitutes the most noteworthy forward step which has been taken with regard to our foreign service in more than one hundred years."⁶⁶ At the same meeting the following resolution was adopted:

⁶³Committee on Foreign Service, *The Foreign Service: Report on First Year of Administration of President Harding* (1922).

⁶⁴43 Stat. at L. 140 (1925); *Good Government*, Vol. XLI, pp. 102-103, 145-150 (1924); *Congressional Digest*, Vol. III, pp. 115-128 (1924).

⁶⁵Order no. 4022, United States Department of State (1924).

⁶⁶*Proceedings of the League*, 1924, pp. 17-21.

The League records with gratification the enactment by Congress of the Rogers Law. This law, supplemented by the executive orders of the President and the regulations adopted thereunder by the Secretary of State forms a basis for a foreign service equal to that of any country in the world. The League urges further legislative enactment whereby those features of the new system which rest upon executive order may be given statutory sanction in accordance with findings and standards recommended by a special committee of the League in 1919.⁶⁷

The League's active interest in the reform of the consular service goes back to 1894, when the matter was first discussed at an annual meeting. Since 1903 a special Committee on Consular Reform studied and reported on the question. A reorganization of the committee occurred in 1918 with the creation of a Committee on Foreign Service, which made a thorough study of the conditions in the foreign service and embodied the results in a significant report. The League, through its Committee on the Foreign Service, took a leading part in the movement for foreign service reform which culminated in the passage of the Rogers Act in 1924.

REMOVALS IN THE CIVIL SERVICE

The position of the League with reference to removals can be understood only by a review of the declarations upon the subject since the early years of its work. Since this problem is one of the most vexing ones that the League has faced, it is necessary to review the entire record of the League upon it.

Mr. George William Curtis declared on many occasions that if the front door of the service was carefully safeguarded, the back door would take care of itself. In other words, he favored no restrictions upon the power of the appointing officer to remove. In his address before the American Social Science Association on September 8, 1881, and again before the annual meeting of the League, August 4,

⁶⁷*Ibid.*, p. 42.

1886, Mr. Curtis declared: "Removal for cause, therefore, if the cause were to be decided by any authority but that of the responsible superior officer, instead of improving, would swiftly and enormously enhance the cost, and ruin the efficiency, of the public service, by destroying subordination and making every lazy and worthless member of it twice as careless and incompetent as he is now."⁶⁸

At the annual meeting in 1886 a resolution relating to removals was discussed by Messrs. Rose, Wheeler, Schurz, Eaton, Bonaparte, Foulke, Welsh, and others. As finally adopted it announced the adherence of the League to the principle of "no removals for partisan reasons or merely to make places for others." Another resolution declared: "Public officers entrusted with the power of appointment and removal should be required by law or executive order, to put upon public record in every case of removal the reasons therefor." This was directed at the practice of removals upon secret charges which was flourishing in the Post Office Department under President Cleveland.⁶⁹ At the meetings of 1887 and 1888 this resolution was substantially readopted. In 1889 the League adopted the following resolution at the annual meeting:

While fully recognizing that the absolute power of removal must be vested in the appointing power subject only to a sound discretion, the League holds that the system of making removals upon secret charges or specified acts preferred by unknown accusers, without opportunity for explanation or denial, is inquisitorial in its character, unjust in its results, and like the spoils system itself, repugnant to the spirit of American institutions.

Condemning the arbitrary removal of postmasters for no other cause than their political opinions or party affiliations, the resolutions of the League adopted in 1890 continued: "Places which are not political and which are filled by appointment should be vacated, except by death or

⁶⁸G. W. Curtis, *Orations and Addresses*, Vol. II, p. 191 (1894); *Proceedings of the League*, 1886, p. 19.

⁶⁹Foulke, *op. cit.*, pp. 37-41.

resignation, only by the deliberate act of responsible appointing officers, after fair opportunity of explanation or denial of charges, and, in order that such officers may be held strictly to their responsibility, the widest publicity should be given to removals, and such officers should be required by law publicly to record the reasons for removals made by their authority." In 1891 this resolution was practically reaffirmed. At the Chicago meeting of 1894 the League congratulated the country on the adoption of regulations by Postmaster-General Bissell "discouraging partisan activity on the part of postmasters and forbidding the removal of letter-carriers except on written charges, with full notice and an opportunity to make defense."⁷⁰ Another resolution read: "The League recommends the promulgation of a rule by the executive authority requiring that employees be acquainted with charges that may be preferred against them before they shall be dismissed from office." In 1895 and again in 1896 the League commended the order of the Postmaster-General and urged the application of a similar rule to other branches of the classified service.⁷¹

The fight of the League against removals upon secret charges finally bore fruit. On July 27, 1897, President McKinley issued an executive order that no removal should be made from any position in the competitive service except for just cause and upon written charges filed with the head of the department or other appointing officer, and of which the accused should have full notice and reasonable time for personally answering the same in writing.⁷² At the meeting of the League in 1897 the following resolution was adopted: "The League recognizes in the order of President

⁷⁰United States Civil Service Commission, *Annual Report*, Vol. XI, p. 187 (1895).

⁷¹*Proceedings of the League*, 1886, pp. 32-38; 1887, p. 37; 1888, p. 96; 1889, p. 31; 1890, p. 31; 1891, p. 27; 1894, pp. 44-45; 1895, p. 43; 1896, p. 41.

⁷²*Good Government*, Vol. XVI, p. 93 (1897); United States Civil Service Commission, *Annual Report*, Vol. XIV, p. 24 (1898).

McKinley forbidding removals in the classified service unless for good cause and after due notice to the person accused, a wise and just measure, fully endorsed by an enlightened public opinion, and it demands for this order a fair construction and a practical enforcement, with adequate punishment for any officials who disobey or seek to evade its provisions."⁷³

In 1905 President Roosevelt modified this rule by issuing an executive order providing that "when the President or head of an Executive Department is satisfied that an officer or employee in the classified service is inefficient or incapable and that the public service will be materially improved by his removal, such removal will be made without hearing, but the cause of removal shall be stated in writing and filed. When misconduct is committed in the view and presence of the President or head of Executive Department removal may be made summarily and without notice."⁷⁴ A special Committee on Removals appointed by the League recommended a restoration of the former rule, emphasizing its view that in cases of removal the reasons should be filed as a record in the department and with the Civil Service Commission and that the employee should be given a reasonable opportunity to file a reply before action is taken. The employee should also have access to the record or reasons or be furnished with a copy of them.⁷⁵ In 1906 the Committee laid down the provisions which a fair removal rule should contain.⁷⁶

On February 8, 1912, President Taft restored the rule substantially to its former shape.⁷⁷ On August 24, 1912, Congress enacted into law the existing rule, which provides that removals in the classified service shall be made only for such cause as will promote the efficiency of the service,

⁷³*Proceedings of the League*, 1897, pp. 41-42.

⁷⁴United States Civil Service Commission, *Annual Report*, Vol. XXII, p. 71 (1905).

⁷⁵*Proceedings of the League*, 1905, pp. 69-87.

⁷⁶*Ibid.*, 1906, pp. 82-85.

⁷⁷United States Civil Service Commission, *Annual Report*, Vol. XXIX, pp. 132-133 (1913).

the reasons to be given in writing, and the person whose removal is sought shall have notice, be furnished with a copy of the charges preferred against him, and have opportunity for answering the same personally in writing. But no trial or hearing is granted except in the discretion of the removing officer. Copies of the documents relating to removal shall be made a part of the records of the department, and copies shall be furnished upon request to the person affected, and also upon request to the Civil Service Commission.⁷⁸

Much credit must be given to the League for its part in securing the promulgation of the removal rule of July 27, 1897. It was at the instance of the League, with the co-operation of the Civil Service Commission, that President McKinley issued the order for the whole federal service. In a sense, then, the League is the father of the present removal rule in the federal service.

At the meeting of the League in Boston in 1913 a preliminary report was made by a special Committee on Removals in the civil service. The Committee recommended that a disciplinary board should have jurisdiction over complaints against officers and employees in the competitive service. This disciplinary board should be composed of three persons, either the three civil service commissioners, or a board composed of one civil service commissioner, or a representative of the commission appointed by the Commission, a representative of the legal department, and a representative of the competitive service of at least equal or higher rank than the person against whom an offense is alleged. Both representatives were to be selected by the Civil Service Commission. The report was discussed at this meeting and also at the meeting in Chicago in 1914, but no final action was taken.⁷⁹

The next discussion of the question of removals occurred in the deliberations of the Council on the draft of a model law for states and cities in 1915 and 1916. The majority

⁷⁸37 Stat. at L. 555 (1913).

⁷⁹*Proceedings of the League*, 1913, pp. 100-113; 1914, pp. 139-154.

report provided for the trial board system of removals, which was defended principally by Mr. Robert Catherwood of Chicago.⁸⁰ At a meeting of the Council in New York City on November 11, 1915, Mr. William Dudley Foulke presented a minority report in which he argued at length for the system of removals found in the federal law.⁸¹ A compromise was reached and the model law contained the following section on removals:

No person holding an office or place in the classified service, except Civil Service Commissioners and persons laid off from duty who this Act provides shall not be entitled to reinstatement, shall be removed or discharged except for cause, upon written charges and after an opportunity to be heard in his own defense. Such charges may be filed by any superior officer, any citizen or taxpayer, and shall within thirty days after filing be heard, investigated and determined by the Commission or by some person or board appointed by the Commission to hear, investigate and determine the same.

The finding and decision of the Commission or of such person or board when approved by the Commission, shall be final and shall be certified to the appointing authority and shall be forthwith enforced by such authority.

Nothing herein contained shall limit the power of any superior officer to suspend a subordinate for a reasonable period not exceeding fifteen days pending hearing and decision. Every such suspension shall be without pay; provided, however, that the Commission shall have authority to investigate every such suspension, and in case of its disapproval it shall have power to restore pay to the employee so suspended.

Nothing herein contained shall limit the power of any appointing officer to suspend or dismiss a subordinate for any cause which will promote the efficiency of the service, upon filing with the Commission written reasons for such action and giving the person whose removal is sought reasonable notice of the same, and of any charges preferred against him, and an opportunity to

⁸⁰Mr. Catherwood's views on removals may be found in addresses before the League and the Assembly of Civil Service Commissions. See *Proceedings of the League*, 1912, pp. 160-170; 1913, pp. 109-113; and *Proceedings of the Assembly of Civil Service Commissions*, 1913, pp. 117-124.

⁸¹*Good Government*, Vol. XXXII, pp. 91-95 (1915); Foulke, *op. cit.* pp. 224-225, 326-336.

answer the same in writing, and to file with the Commission affidavits in support of such answer. But no trial shall be required except in the discretion of the officer making the removal. All papers filed in the case shall be public records. The Commission may reinstate an officer or employee so removed only in case it appears after a proper hearing that the removal was made for political or religious reasons.⁸²

In a footnote to the fourth paragraph it is stated that "the Chicago, Illinois, New Jersey, and New York Associations have approved the principle granting to the Civil Service Commission exclusive jurisdiction over removals, which would be accomplished by striking out this paragraph."

The bill to improve the federal service proposed by the League in 1921, in section 22, after providing for a trial board for removals, adds: "Nothing herein contained shall limit or restrict in any way the right and power of any appointing officer to remove his subordinates in the manner provided by law," *i.e.*, as provided by the act of 1912.⁸³

There is a decided difference of opinion in the League as to the interpretation of the removal section of the standard law. Mr. Catherwood, who is supported by the Illinois representatives on the Council, insists that the law provides alternative sections on removals. Mr. Foulke and many members of the Council claim that it would be more accurate to say that the League has approved supplemental provisions on removals, but has never formally abandoned the theory that the ultimate power to make a removal should be vested in the head of the department.

In New York State the Civil Service Reform Association has had to fight at every session of the Legislature since about 1910 a bill sponsored by the civil service employees giving them the right to a formal trial before removal, and the right of appeal to the courts on a writ of certiorari. Such a bill once passed the Legislature and was vetoed by

⁸²Sec. 25.

⁸³*The Plain Truth about the Federal Civil Service, and What Should be Done about It*, pp. 22-23 (1921).

Governor Sulzer. At the 1924 session the New York Association sponsored a bill drafted by its President, Mr. Samuel H. Ordway, extending to employees in the state service the provisions in use in the federal civil service regarding written statement of reasons, opportunity to answer charges, the statement of reasons and answer to be made a matter of public record.⁸⁴

For many years, then, the League fought the system of removals upon secret charges and insisted upon the promulgation of a rule that employees should be acquainted with the charges preferred against them. Such a rule, introduced in the Post Office Department in 1894, was extended to the other parts of the competitive service by President McKinley's order of 1897 and embodied in law in 1912. The League took a leading part in securing the adoption of the present removal rule in the federal service. In drafting model laws for states and the federal service, differences of opinion as to the provisions of the removal section have arisen in the discussions of the Council, some favoring the trial board system of removals and others insisting that the final power to remove should be lodged in the head of the department.

A NEW FEDERAL EMPLOYMENT LAW

In recent years the question of the revision of the Pendleton Law has been considered by several agencies interested in personnel administration. The matter was first discussed by the League at the Council meeting on October 1, 1919, when a motion to provide for the appointment of a committee to draft a new federal civil service law was laid on the table.⁸⁵ This motion was withdrawn at the next meeting of the Council.⁸⁶ On January 7, 1925, a Committee

⁸⁴*Report of the Executive Committee of the Civil Service Reform Association*, New York, 1923, pp. 7-8; 1924, pp. 11-12; 1925, p. 14; 1926, p. 12; *Good Government*, Vol. XL., p. 66 (1923); Vol. XLI. pp. 70-71 (1924); *Laws of New York*, 1924, chap. 612.

⁸⁵*Minutes of the Council*, October 1, 1919, p. 3.

⁸⁶*Ibid.*, December 4, 1919, p. 5.

on Legislation was appointed, whose function should be (1) to draft a bill for an act to improve the federal service and (2) to draft a bill for an act regulating the civil service of municipalities under city manager or commission form of government, to be applicable for use with minor modifications in any state. The Committee, as originally appointed, consisted of Messrs. Russell Whitman, chairman; W. B. Hale, W. B. Moulton, H. F. Tenney, R. C. Catherwood, ex-officio, Chicago; A. W. Fairchild, Milwaukee; Samuel H. Ordway, Henry W. Hardon, New York; and Walter H. Buck, Baltimore. Additional members appointed May 28, 1925, included Messrs. Thomas Swan, New Haven; and Ellery C. Stowell, John Joy Edson, and Charles Warren, of Washington. The Chicago members of the Committee took the initiative in preparing a preliminary working draft of a new federal law, which was sent to the other members of the Committee but never formally approved by them. The draft was considered by the Council at its meeting in New York on October 28, 1925. It proposed rather radical departures from the existing law. A United States Service Establishment in charge of a United States Director of Service was to replace the present Civil Service Commission. The Director was to be appointed by the Court of Appeals for the District of Columbia after open competitive tests conducted by a board of examiners appointed by the President. He should hold office until removed for inefficiency or misconduct. Written charges might be preferred against him before the Court of Appeals for the District of Columbia by any citizen, and trial should be before a board of examiners appointed by the Court. The act also provided for a secretary, a chief examiner, and service directors or local agents for employment divisions, all to be chosen by open competition. A rules commission and boards of examiners were also provided. The bill abolished the United States Civil Service Commission, Bureau of Efficiency, Personnel Classification Board, the Employment Boards in the Navy Department, the Bureau of Civil Service of the Philippines, and the Porto Rican Civil Service Commission.

This draft was proposed in place of the present civil service law, which some of the western members regarded as failing to provide the basis for a sound employment system. The Council questioned the advisability of submitting an entirely new plan of service employment to Congress, which had shown for more than forty years hostility to the merit system. On the other hand, most of the things needed to improve the merit system could be done by executive action. The Council also doubted the advisability of taking away from the President his authority over the Civil Service Commission and wanted the removal section modified so that it should not affect the power of appointing officers to remove or demote subordinates after giving reasons and an opportunity for explanation. The Committee was urged to proceed with the completion of the draft and report to a later meeting of the Council, so that, when public opinion would support a demand upon Congress for such a radical change in the federal personnel system, the League would have a satisfactory measure.⁸⁷

The Chicago members of the Committee were disappointed at the failure of the Council to approve the draft and decided to abandon work on it so far as making another report to the Council was concerned. Mr. Catherwood had the *Preliminary Working Draft of a Government Service Act* printed, and in an address before the Better Government League in Washington on November 29, 1926, explained its provisions and urged its consideration by that organization.⁸⁸

Other personal agencies, however, are pressing the demand for a new federal employment law.⁸⁹ In the summer of 1927 the Bureau of Public Personnel Administration prepared and printed *A Proposed Act Providing an Employment System for the Federal Service of the United States Embodying Modern Conceptions of Public Personnel Ad-*

⁸⁷*Ibid.*, October 28, 1925, p. 4.

⁸⁸*Public Business*, Vol. I, nos. 5-6 (October-November, 1926).

⁸⁹See Fred Telford, "Needed Personnel Legislation, Federal and Local," *Public Personnel Studies*, Vol. V, pp. 106-110 (1927).

ministration.⁹⁰ This measure was drafted at the request of the Better Government League and the National Federation of Federal Employees.

In the September, 1927, issue of *Good Government* Mr. Foulke criticises the Bureau of Public Personnel Administration for its criticisms of the Pendleton Act and insists that many of the changes proposed can be made at any time without a new law by the mere order of the President. The Civil Service Commission should not be abolished but should be made the central employment agency of the Government. "For the vital objection to the introduction into Congress of this bill abolishing the Civil Service Commission and repealing the Civil Service Law, or of any bill, even for the general revision of the civil service act, is that the outcome will inevitably be a measure far more disastrous to the competitive system and to the efficiency of the service than any present shortcoming." Congress, which "is still the well-spring of patronage and the fortress of what is left of the spoils system," cannot be trusted to repeal the act of 1883 and provide a sounder act in its place.⁹¹ That is the present attitude of the League on the proposal to substitute a new Employment Act for the historic Pendleton Law.

OTHER PROBLEMS

Briefer reference will now be made to the League's work in connection with several other problems of personnel administration.

Examinations. The question of competitive examinations has been discussed at several of the annual meetings of the League, but no special committee has ever been appointed to deal with this problem.⁹² In 1912 at the annual meeting Mr. F. E. Doty, Secretary and Chief Examiner of the Wisconsin State Civil Service Commission, read a paper entitled *Development and Application of Advanced Methods*

⁹⁰*Public Personnel Studies*, Vol. V, pp. 161-183 (1927).

⁹¹Vol. XLIV, pp. 53-56 (1927).

⁹²*Proceedings of the League*, 1890, p. 39; 1901, p. 58; 1903, p. 172; 1907, pp. 129, 151.

*in Civil Service Examinations in Wisconsin.*⁹³ At the meeting of the League in Washington in 1922 papers were read by Dr. L. L. Thurstone of the Carnegie Institute of Technology on *Possibilities and Limitations of Psychological Examination Methods in the Civil Service*; and by Mr. Herbert A. Filer, Chief Examiner of the United States Civil Service Commission, on *Improvement of Civil Service Tests*. The subject was also discussed by Messrs. Charles P. Messick, Secretary of the New Jersey Civil Service Commission and L. J. O'Rourke, of the examining staff of the United States Civil Service Commission.⁹⁴

Promotions. On various occasions at the annual meetings of the League the subject of promotions in the civil service has been discussed, but no systematic study of the question was made until a special Committee on Promotions was appointed, which made a report to the annual meeting in 1910.⁹⁵ The Committee pointed out that the federal civil service law had been in operation since 1883, yet no systematic and uniform method of dealing with promotions had been evolved. "Promotions have been left to the heads of departments to be made in their discretion or regulations applying only to one department or office have been drawn up with the approval of the civil service commission; but the administration of such regulations has been confided entirely to department heads." After describing and evaluating different systems of promotion the Committee outlined its suggestions for a promotion system for the federal service. Rejecting "free promotion" as unsuited to conditions in the federal service, the Committee agreed that "seniority, efficiency records, and competitive examinations all have their value as elements which should enter into consideration in making promotions. The question would then seem to be how they can best be combined?" The report continued:

In our opinion seniority should be made a determining factor in promotion only when the application of other tests of efficiency show that two candidates are practically equal.

⁹³*Ibid.*, 1912, pp. 133-146.

⁹⁴*Ibid.*, 1922, pp. 74-102.

⁹⁵*Ibid.*, 1888, p. 38; 1902, p. 65; 1909, p. 166.

Efficiency records as they do not bear directly on the main question—the ability to perform the duties of a higher position—should not be given a preponderating weight.

Competitive examination, as going most directly to the root of the matter and providing an impartial test of ability to perform the duties of a higher position, should be given at least a weight of 50 per cent.⁹⁶

Competitive examination for promotion is the system recommended in the League's model law for states,⁹⁷ and in the bill to improve the federal civil service, drafted in 1921.⁹⁸

Investigations and Surveys. In a few instances members of the League staff have conducted investigations of the administration of the civil service law in a particular jurisdiction. This work is exclusive of the investigatory work of the League committees in connection with the National Administration. In June, 1917, the Staff Examiner of the League made a study of the administration of the Ohio Civil Service Law at the request of the Ohio Civil Service Reform Association. In March, 1926, the Secretary of the League made an investigation of the Cincinnati Civil Service Commission, again for the Ohio Civil Service Reform Association. During the summer of 1926 the Field Secretary of the League, in coöperation with the New York State Civil Service Commission, undertook a survey of all the local civil service commissions in New York State. This survey consisted of an examination of the records of the local commissions and interviews with commissions and heads of departments, designed to determine how the commissions were administering the law. The information gathered was placed at the disposal of the League. It has recently been published by the New York State Civil Service Commission. *A Study of Personnel in Food Inspection* based on a survey of food inspection throughout the country, made by Miss Eldred Johnstone, the Field Secretary, was issued in 1926. In the same year

⁹⁶*Ibid.*, 1910, pp. 75-122.

⁹⁷Sec. 23 (b).

⁹⁸Sec. 15.

the Field Secretary made a study of the employment practices of private corporations, the results of which have not yet been published.⁹⁹

RELATIONS WITH OTHER PERSONNEL AGENCIES

Bureau of Public Personnel Administration. The movement for the establishment of an organization like the Bureau originated in the office of the National League about 1914. The Secretary and Assistant Secretary of the League began the agitation for the establishment in the League office of a bureau to act in the capacity of giving information to civil service commissions throughout the country as to best examining methods and to improvement of various administrative processes in public personnel work. This movement was prompted by the large number of requests for technical advice from civil service commissions. During 1917 a Staff Examiner, who was an engineer, and an experienced personnel administrator, was added to the League staff, but he resigned in the fall of 1917 to enter military service. No one was subsequently employed to fill the place.

The question of a central bureau for civil service commissions was brought before the annual meeting of the Assembly of Civil Service Commissions in 1914 by the offer of the Colorado State Civil Service Commission to act as a central bureau and clearing house of information for civil service commissions.¹⁰⁰ At subsequent meetings the need for a central bureau of civil service standards was emphasized.¹⁰¹ In 1919, at the annual meeting of the Assembly, a committee of three was authorized to coöperate with a committee of two from the National Civil Service Reform League in the creation of a central service bureau.¹⁰² After attempting to get adequate guarantees of financial support

⁹⁹*Proceedings of the League*, 1927, pp. 23-31.

¹⁰⁰*Proceedings of the Assembly of Civil Service Commissions*, 1914, p. 8.

¹⁰¹*Ibid.*, 1915, pp. 49-54; 1916, p. 167.

¹⁰²*Ibid.*, 1919, p. 176.

from state legislatures and municipal authorities, without success, the committee made its appeal to the great public foundations. During 1922 financial support of the proposed bureau was assured by the promise of Mr. John D. Rockefeller, Jr., to contribute not to exceed \$25,000 a year for not more than three years.¹⁰³

As finally worked out, the plan provided for the establishment, within the Institute for Government Research at Washington, of a Bureau of Public Personnel Administration, whose functions should be (1) to serve as a clearing house for existing information regarding matters relating to personnel administration in the public service, national, state, county, and local, (2) to develop or improve methods of personnel administration through the conduct of original investigations and experiments, and (3) to publish the results of the work in such form as experience might demonstrate is most effective for the improvement of the personnel administration of the public service. The Bureau should be administered by the Institute for Government Research, with the advice and coöperation of a special Advisory Board to consist of five members: two to be named by the Assembly of Civil Service Commissions, one by the National Civil Service Reform League, one by the United States Civil Service Commission, and one by the National Research Council.

In October, 1922, the Bureau was organized with Dr. W. F. Willoughby of the Institute for Government Research as Director, and with two full-time staff members and one part-time member.

The decision to locate the Bureau in connection with the Institute for Government Research was opposed by the Secretary of the League and by Mr. Ordway of the New York Association on the ground that the League was already doing some of this work, that it would lead to duplication, and that this work should not be scattered among different organizations. However, the deciding factor seems to have been the view of Dr. Rumel of the Rockefeller Foundation

¹⁰³*Ibid.*, 1923, pp. 37-38.

that the Bureau should be affiliated with a research organization, such as the Institute, rather than with a critical and propaganda organization such as the League.

Relations have been maintained between the two organizations from the first, by the representation of the League Secretary upon the Advisory Board of the Bureau. During 1922-1925 the Washington Representative of the League had space in the Bureau office. In the summer of 1927 the League voluntarily discontinued its representation on the Bureau's governing body.

As predicted by the Secretary of the League, instances of duplication of work between the League and the Bureau have not been wanting. In some cases both organizations have been working in the same field without being informed of what the other was doing. Disagreement upon the details of state and local legislation have not been uncommon.

The League dissents from the attack made by the Bureau upon the present federal civil service system as hopelessly inadequate and a rank failure. The League does not agree that the evidence cited by the Bureau justifies any such characterization of the federal personnel system. Fundamentally the two organizations differ in their attitude toward the personnel problem, the League being inclined to emphasize the fight against the spoilsman and the Bureau attempting to substitute a better system than that under which the spoilsman operate. It cannot be said that the relations between the two organizations are satisfactory.¹⁰⁴

United States Civil Service Commission. As is to be expected, the relations between the public body charged with the administration of the civil service acts and the private organization for the extension and improvement of the merit system, have been very close. With exception of a brief period during the World War, when the League criticised the Commission, the attitude of the League has been one of constant support and coöperation with the Civil Service Commission. The League is interested in appointments to vacancies on the Commission, often recommending

¹⁰⁴See *Public Personnel Studies*, Vol. V. pp. 106-110, 161-164, 189-191 (1927); *Good Government*, Vol. XLIV, pp. 53-56 (1927).

a list of candidates to the President for appointment, in increased appropriations for the work of the Commission, and in increased salaries for the Commissioners. The present program of the League calls for the further strengthening of the Commission by transferring to it the work of the Bureau of Efficiency and the Personnel Classification Board.¹⁰⁵ Cordial personal relations are maintained between the Commission members and the Secretary and officers of the League in all matters of common interest to the two organizations. A number of eminent reformers have served as members of the Commission, including Dorman B. Eaton, Theodore Roosevelt, and William Dudley Foulke.

Assembly of Civil Service Commissions. The coöperation of the League and the Assembly in the establishment of the Bureau of Public Personnel Administration has just been described. In addition, the meetings of the Assembly are usually attended by the President and Secretary of the League.

Conference Committee on the Merit System. In 1919 a special committee of the League was appointed to make a study of the appointment, tenure, and compensation of civil service commissioners. This committee gathered much data, but never issued a report. The League has in the past prepared a draft of a law for states, a draft of a law for cities, and a draft of a law to improve the administration of the federal service. Other organizations have also been interested in efforts to discover and improve alleged weaknesses in civil service laws, administration and procedure—the Governmental Research Conference, the National Municipal League, the Assembly of Civil Service Commissions, and the Bureau of Public Personnel Administration. On the initiative of Dr. H. W. Dodds, Secretary of the National Municipal League and Editor of the *National Municipal Review*, a Conference Committee on the Merit System was formed, consisting of representatives of these five organizations. After several meetings in 1924 and 1925 the Com-

¹⁰⁵ *Supra*, pp. 198-199.

mittee agreed upon its final report, which was published in book form by the National Municipal League.¹⁰⁶

RELATIONS WITH CIVIL SERVICE EMPLOYEES

As a group of private citizens the League has fought the battles of civil service reform for approximately a half century. But there is another group which is likewise interested in the progress of reform—the civil service employees themselves. In the federal service alone these employees now number over half a million men and women. Would it not be reasonable to expect that there would be a strong support of the League and its program among the employees, because it is the outstanding promoter and defender of the merit system? There should be the closest coöperation between the two groups, but unfortunately this has not always been the case. What is the explanation?

In the first place, the employees seem to feel that they have not always been taken into partnership in the matter of reform. Speaking before the annual meeting of the League in 1919, Mr. Luther C. Steward, President of the National Federation of Federal Employees, said:

Hitherto, those who have been interested in reform of the civil service have, in our judgment, overlooked one very important feature. They have tried to a considerable extent to reform at long range, instead of considering the employes as essential partners in the enterprise and possibly possessing much inside information of a very useful character.¹⁰⁷

Besides sensing an intellectual aloofness on the part of the League, the employees have resented at times the attitude of the League toward some of their problems. In the matter of retirement legislation the majority of the workers have wanted a pension, but were willing to compromise on a half and half arrangement.¹⁰⁸ The League has always been

¹⁰⁶Conference Committee on the Merit System, *The Merit System in Government* (1926).

¹⁰⁷*Proceedings of the League*, 1919, p. 27.

¹⁰⁸S. D. Spero, *The Labor Movement in a Government Industry*, pp. 280-284 (1924); *Good Government*, Vol. XXXV, p. 146 (1918).

opposed to a straight pension system and has insisted on a retirement system based on contributions from the employee's salary.¹⁰⁹ Again, on the question of removals, the employees have agitated for years for the establishment of a "court of appeals" to pass upon questions of discipline and dismissals.¹¹⁰ The League supports the present removal rule in the federal service which vests the ultimate power of removal in the heads of departments. As to salaries, the League has refused to be pulled into the struggles of different groups, but has maintained that the fundamental question is one of classification and standardization of the entire service.¹¹¹ In general, the League has endorsed all measures designated to improve the efficiency of the service, while the employees have usually opposed the introduction of efficiency rating systems and speed tests.¹¹² Finally, the League has consistently opposed all forms of political activity on the part of the employees.

It is especially on this last point that many members of the League have been opposed to the organization of public employees and their affiliation with union labor. Mr. Foulke has criticised such organizations as dangerous because they will attempt to control political action and because they may result in strikes in the public service.¹¹³ On the other hand, Mr. Alfred Bishop Mason, chairman of the League's Committee on Labor in 1919, argued that employees' unions should be recognized because they will prevent strikes and improper political activity.¹¹⁴ The subject was discussed at several meetings of the Council in 1918 and 1919 and the attitude of the League was finally announced in the following resolution adopted on December 4, 1919, which remains the only declaration of the League upon the subject:

¹⁰⁹*Supra*, p. 194.

¹¹⁰*Spero*, *op. cit.*, p. 285.

¹¹¹*Good Government*, Vol. XXXV, p. 146 (1918).

¹¹²*Ibid.*, p. 124; *Spero*, *op. cit.*, pp. 191, 194, 208-209.

¹¹³*Good Government*, Vol. XXXV, pp. 120-124 (1918); *Foulke*, *op. cit.*, pp. 177-179.

¹¹⁴*Good Government*, Vol. XXXV, pp. 163-164 (1918).

The National Civil Service Reform League recognizes the wrongs under which public employes now suffer in relation to salaries and conditions of work, and believes that the situation is one imperatively calling for reform.

We believe that the remedy for this situation that has been widely sought in the organization of public employes in affiliation with industrial trade unions carries with it grave dangers to the state, involving as it does, the possibility of strikes and the confusion of political and industrial questions; and we are persuaded that the remedy should be sought rather in the free and frank co-operation of government officials and government employes in councils that would secure to employes an adequate voice and influence in fixing their scale of compensation and conditions of labor.

We, therefore, approve of the principle of the establishment by law of joint general departmental and bureau or administrative unit advisory councils with equal representation of employes and heads of departments to consider salaries, grievances, conditions of employment and other service matters. Provisions should also be made for the association of impartial employment experts, preferably under the supervision of the Civil Service Commission in the work of the Council. Such councils, representing both the public and the employes and working in co-operation with associations of civil servants, offer the best and safest machinery by which the rights of employes may be protected, their grievances righted and fair and reasonable conditions of service and faithful performance of duty assured. We urge the immediate enactment by Congress of legislation to secure such machinery of justice to civil service employes.¹¹⁵

It would be a mistake, however, to leave the impression that there has been no coöperation between the League and the civil service employees. The position of the League is that the employees' interests are similar to the public interest and that the League in fighting for the interest of the public is serving the employees also.¹¹⁶ There are indications that the employees are beginning to appreciate this stand. On several recent occasions representatives of employees' organizations have addressed the annual meetings of the League and League officers have spoken before conventions

¹¹⁵Minutes of the Council, December 4, 1919, pp. 1-2.

¹¹⁶Good Government, Vol. XXXV, p. 146 (1918).

of employees.¹¹⁷ When the League called a mass meeting at Washington in April, 1922, to protest against the removal policy of the Harding Administration, a dozen organizations of civil service employees found their interests on that occasion identical with that of the public which the League represented.¹¹⁸

SUMMARY AND CONCLUSION

The last two decades have witnessed a nation-wide movement to improve the efficiency of public administration. That the leaders of the League are aware of the significance of the new movement in its relation to the personnel problem has been shown. Lack of funds before 1916 prevented the inauguration of any definite plans to improve the efficiency of civil service administrators. In 1917, with an increased budget, a trained Staff Examiner was employed to assist civil service commissions with their technical problems. The Great War interrupted this work. Following the War the League took the initiative in forming, with the Assembly of Civil Service Commissions, a joint committee to establish a service bureau. The Secretary of the League made every effort to have that bureau located in connection with the League's office, though it must be admitted that his efforts were feebly seconded by the League authorities.

Two undertakings of the League in this field stand out as significant—the Foreign Service Report of 1919, which laid the groundwork for the Rogers Act, and the report of the Committee on Reclassification in 1923.

If the other projects of the League in this field are not so significant, one must recognize that the League has been working under serious handicaps. It has been so busy spreading propaganda for the merit system, extending it to new jurisdictions, and defending the competitive principle from all attacks, that it has had little opportunity to inaugurate any far-reaching studies of personnel administration.

¹¹⁷*Proceedings of the League*, 1919, p. 26; 1922, pp. 46, 50, 67.

¹¹⁸*Supra*, pp. 165-167.

When the spoils evil has been entirely eliminated from American politics the League can afford to abandon its traditional aims and methods and to turn its entire attention to the scientific development of personnel administration. But until that time arrives, and it has not yet arrived, it cannot afford to neglect the old fight against the spoils-men. That work is no less important today than it was in the days of Eaton, Curtis, and Schurz. Eventually as the spirit of partisanship declines—and eminent students of politics and administration believe that it is declining¹¹⁹—civil service reform in the older sense will be absorbed into and made a part of a new movement which will round out a complete program of public personnel administration. The League should be prepared to take its part in this new program.

¹¹⁹See C. E. Merriam, *The American Party System*, pp. 361-363 (1923); and L. D. White, *The City Manager*, pp. 294-295 (1927).

PART III
PROBLEMS OF THE LEAGUE

CHAPTER VIII

PROBLEMS OF THE LEAGUE

In recent years internal problems have occupied much of the attention of the Council and Executive Committee of the League. Among such problems the most prominent may be discussed under the following heads: (1) Organization, (2) Finance, and (3) Scope and Program. All of these problems merit a somewhat extended discussion.

ORGANIZATION

The officers of the League are a President, not less than ten Vice-Presidents, a Secretary, an Assistant Secretary, a Treasurer, an Assistant Treasurer, a Council, and an Executive Committee.

Distinguished men have served the League as President. To mention the names of George William Curtis, Carl Schurz, Daniel C. Gilman, Joseph H. Choate, Charles W. Eliot, Richard Henry Dana, William Dudley Foulke, Robert Catherwood, Thomas W. Swan, and George McAneny, is proof of the high quality of its leadership.¹

The position of Vice-President is principally honorary. Included among its members are always to be found those with long records of faithful service to the cause of civil service reform.² Four Presidents of the United States, Cleveland, Wilson, Taft, and Roosevelt, were at various times numbered among the Vice-Presidents of the League.

Since its organization the League has had six Secretaries, nine Assistant Secretaries, six Treasurers, and one Assistant Treasurer.³ Mr. A. S. Frissell, the Treasurer, has held his office since 1896, giving him the longest tenure of any of the present officers. In 1916 the office of Assistant Treasurer was created to relieve him of part of his duties.

¹See Appendix B.

²See Appendix C.

³See Appendix B.

The League has been fortunate in its Secretaries. No one can study its history of over forty years without admiration for the faithful and loyal work of William Potts, George McAneny, Elliot H. Goodwin, Robert W. Belcher, George T. Keyes, Harry W. Marsh, and H. Eliot Kaplan. Upon them has fallen much of the detailed work of League investigations and reports. They have all been men of unusual ability, good judgment, and rare skill in the strategy of League operations.

Management of the affairs of the League and the direction of its policies is vested in the Council. Its present size (twenty-eight officers of the League, ex-officio, and ninety elective members) makes it an unwieldy governing body.⁴ Many members are veterans, some too old to travel, and the financial circumstances of others do not permit frequent traveling. Sentimental considerations make it difficult to drop superannuated members. Attendance at most meetings is small, an average of about twenty, representing usually New York or nearby cities.

Unwieldiness of the Council and the difficulty of getting members together quickly where formal approval of some action was necessary led to the restoration at the annual meeting of 1916 of the Executive Committee, which had been abolished in 1900. But even this arrangement has not proved altogether satisfactory. At a meeting of the Executive Committee in January, 1927, the Secretary suggested that the Council be made an advisory body to meet only once a year at the time of the annual meeting, and that there should be created in place of the present Council an Executive Committee of about twenty members, representing those members of the Council who now generally attend Council meetings, this Executive Committee to meet four times a year and to have actual control of the activities of the League. The Secretary further suggested that the Executive Committee be supplemented by a small board, to consist of the officers of the League, to act on important matters when it would be impracticable to secure a meeting

⁴See Appendix C.

of a majority of the Executive Committee. After full discussion the Executive Committee recommended to the Council at its meeting in March that the constitution should be amended to provide that three members should constitute a quorum at a meeting of the Executive Committee. The Council adopted the amendment in this form—three members should constitute a quorum, if either the President of the League, or the Chairman of the Council be one of them.⁵

Much of the important work of the League is done through its committees. All committees work in close relation to the Secretary's office. Use of committees for all of its important work, say some observers of the League, results in a certain unevenness and lack of continuity in League propaganda and criticism. But they have certain obvious advantages: they are unpaid and afford better service than the League could hire; they relieve the Secretary of much detailed investigation; they interest many members directly in the League's work; and through them some members become expert in the investigation of particular problems.

Forty-six annual meetings have been held since the organization of the League. A large majority of them have been two-day conferences, but since 1914 the tendency is definitely toward a one-day program. However, some believe that the shortening of the time is a great mistake. Attendance is usually small. This together with the expense has led some to question the value of the annual meeting. But it is the best publicity medium for the work of the League, and for this reason is assuredly justified.

According to the constitution the League is a federation of local civil service reform associations.⁶ At present it consists of twelve local associations and three women's auxiliaries.⁷ Individual memberships were not recognized by the constitution prior to 1909. There are now 708 individual members, of five different classes.

⁵*Minutes of the Executive Committee, January 13, 1927, p. 1; March 10, 1927, p. 1; Minutes of the Council, March 10, 1927, pp. 1-2.*

⁶See Appendix A.

⁷See Appendix D.

One of the distinct tendencies in the development of the League has been the decrease in the number and vitality of the local associations. In the 'eighties the number of active associations was over three score, with thousands of members, while today they number only fifteen with a total membership of around five thousand. And it is not denied by League officers that some of the present associations are in a moribund condition. Many of them have difficulty in maintaining a substantial budget; only a few are able to make any considerable payment to the League in the way of an annual quota; and the League has practically ceased to rely upon them for very active coöperation in furtherance of its program. This, of course, is not the case with the New York Association, and a few others.

The decline in the vitality of the local associations, the practical abandonment by the League of quotas from local associations as a means of financial support, the growth in the staff and central organization with its almost complete concentration on the problems of the federal administration, point to a definite change in the character of the organization since about 1916. These facts indicate that the League has gradually assumed an independent character as a distinct organization with an independent membership basis rather than a connecting link between a number of local associations. But the present constitution recognizes no such change, and consequently is not in keeping with the facts. This situation has led in the last few years to the serious consideration of the incorporation of the League on a membership basis and the abandonment of the idea of a federation of local associations. A League committee in 1922 failed to recommend incorporation.⁸ A change in the name of the League, strongly supported by certain financial representatives of the League, has also been under consideration at various times since 1916. Dropping the word "Reform" from the title has seemed desirable to many, but no action has been taken by the Council.⁹

⁸*Minutes of the Council*, June 14, 1922, p. 4.

⁹*Ibid.*, July 27-28, 1916, p. 5; July 26, 1918, pp. 10-11; *Minutes of the Executive Committee*, April 10, 1918, p. 1.

The League needs to look carefully to its internal organization. The machinery of League government is satisfactory, with the exception of the Council, which is too large for an executive body. Suggestions for improvement include proposals to reduce the size of the Council, to revive the old two-day annual meeting, to incorporate, and to change the name. Originally, and still constitutionally, a federation of local civil service reform associations, though in recent years a distinct tendency is observable toward a unitary organization with an individual membership basis, the League has as present major problems the revitalization of the old local associations, the establishing of new ones, and the increasing of individual memberships.

FINANCE

Among internal problems of the League none is more important than that of finance, for the scope of the League's activities at any particular time is determined by the exigencies of the budget. Civil service reform has never made an emotional appeal to the pocketbooks of large numbers of American citizens and, in the main, the League has been financed by a small group of public-spirited men. Today that group is dwindling; and the League furthermore has to face the competition and strenuous publicity methods of several scores of organizations, some of them with powerful appeal to public sentiment. In the last few years, the problem of finance has overshadowed all other problems of the League.

Three distinct periods in the financial history of the League may be noted. In the first period, from 1881 to 1916, League revenues were derived principally from quotas assessed against local associations, with incidental revenues from the sale of pamphlets and receipts from *Good Government*. In 1882 the policy of a quota levied against local associations at the rate of 10 cents per member was inaugurated and continued to be used until 1900.¹⁰ In that

¹⁰*Minutes of the first Meeting of the General Committee, February 8, 1882*, p. 1.

year the per capita basis of assessment was abandoned in favor of a definite sum to be contributed by the several local associations.¹¹ This method of financing has continued to the present. The dwindling returns from the local associations since 1916 are significant of the declining vitality of these organizations.

In 1916 a Greater Activity Program was undertaken by the League, to be financed by a Greater Activity Fund derived from large contributions from a small number of people.¹² Paid financial representatives for the first time were used to solicit contributions. Assisted by President Dana and local members of the Council the campaign for a Greater Activity Fund was vigorously conducted in nine eastern and middle western states. Contributions for the years 1917, 1918, and 1919, averaged slightly over \$32,000 per year.¹³ However, subscriptions declined rapidly after 1919, the receipts being \$15,982.36 in 1920 and \$12,273.27 in 1921.¹⁴ The sharp decline in contributions after 1919 indicated clearly that the method of soliciting large contributions through a paid financial representative was not wholly successful, because it did not establish a permanent source of income for the League.

The next plan adopted to establish a permanent source of income for the League was that of securing a large permanent membership at reasonable dues. From September, 1920, to February, 1922, a campaign for subscriptions and membership was conducted by a League representative in Philadelphia, Baltimore, and New York, with fairly successful results.¹⁵ In August, 1924, a membership secretary was again employed and campaigns for new members were

¹¹*Minutes of Meeting of General and Executive Committees, July 28, 1900*, p. 3.

¹²*Minutes of the Council, September 23-24, 1915*, p. 6; *November 11, 1915*, pp. 2-4; *December 1, 1915*, pp. 5-9; *January 28, 1916*, pp. 6-12.

¹³*Ibid.*, *February 25, 1920*, p. 4; *Good Government*, Vol. XXXV, pp. 43-44 (1918).

¹⁴*Proceedings of the League*, *April 14, 1921*, p. 62; *November 16, 1921*, p. 87.

¹⁵*Minutes of the Executive Committee, February 7, 1922*, p. 1.

undertaken in New Jersey, Buffalo, Philadelphia, and New York. This work was discontinued on February 14, 1925, because the expenses much exceeded the returns.¹⁶ Several special circularization campaigns to selected groups conducted from the Secretary's office have failed to bring in returns equal to the expenses.¹⁷ The results of these efforts to raise funds through membership drives and by means of a paid solicitor have convinced the Finance Committee of the League and the Secretary that such methods are futile.¹⁸

In addition to income from quotas, contributors, and members,¹⁹ the League has in recent years sought income from other sources. It has appealed to the great foundations for contributions, but only moderate success has attended the efforts to secure contributions from the directors of special funds. The largest contributions have come from the Commonwealth Fund, which gave \$5,000 a year in 1922, 1923, and 1924.

One obstacle which has hindered contributions to the League is the fact that such donations are not deductible from the gross income returns made under the Income Tax Law of 1916. All efforts to secure an amendment of the law to permit deduction of contributions to the League have proven unsuccessful.

The present financial situation of the League is critical. It is conceded that the League cannot be financed by quotas from the present local associations. Few of them have anything but a nominal membership or can maintain a budget of any great size. The possibility of endowment is remote, as well as the likelihood of getting continuous support from any of the large foundations. Nor can reliance be longer put on large subscriptions. "Getting annual subscriptions of large amounts from generous friends," said Mr. Dana, "is a killing task." The group of public-spirited citizens, from which the principal financial support in the past has

¹⁶*Ibid.*, February 5, 1925, p. 1.

¹⁷*Minutes of the Council*, December 6, 1923, p. 1; February 27, 1924, p. 2.

¹⁸*Ibid.*, February 24, 1925, p. 5.

¹⁹See Appendix E.

come, is rapidly dwindling and new subscribers are not taking their places. Furthermore, since 1916, the League has relied largely on two men to bring in at least half of its annual contributions, President Dana, during the Greater Activity Campaign of 1917-1919, and since 1920, Mr. Arthur R. Kimball, Chairman of the Council. Both are now compelled on account of age and health to take a less active part in this work. No one has been found to take up this important duty.

These circumstances indicate, as we said in the beginning, that the problem of finance is the most important problem before the League.

SCOPE AND PROGRAM

Among the problems of scope and program the most insistent have been the following: (1) The question of developing younger leaders to take the places of the rapidly dwindling group of pioneers; (2) The enlargement of the scope of the League's work to include the problem of reorganization of the departments of the national administration; (3) The proposal to remove the headquarters of the League from New York to Washington; and (4) The question of the formulation of a constructive program for the future activities of the League.

Decline in Leadership. The League has been fortunate in its leadership. Some of the most distinguished men in public life have been associated with it in the work of reforming the civil service. Today many of the early leaders are dead and those that remain are willing to surrender control to younger men.²⁰ But progressive younger men, of the type that joined the ranks of the reformers in the 'eighties and 'nineties do not seem to be attracted by the work of the League now. This condition is keenly realized by the leaders of the League. Mr. Foulke, shortly after his

²⁰The average age of thirteen Vice-Presidents whose ages could be ascertained, is 70.7 years; the average age of seven members of the Executive Committee whose ages could be ascertained, is 69.2 years.

election as President in 1923, sent a circular letter to a number of men prominent in the civil service reform movement, in which he said:

Having recently been chosen, on the resignation of Mr. Dana, president of the National Civil Service Reform League, I was greatly impressed with the lack of young men in our membership. We who now form the Council and Executive Committee and manage the League are nearly all old and in a few years there will be no one to carry on the work. It really was unfortunate that a man of my age, nearly seventy-five years, had to be elected. A younger man must soon be found to take my place. We must, moreover, have a number of young men in the League for active work. I confess I know hardly any. The lively interest that prevailed when we joined has largely faded away from the belief that the reform is an accomplished fact, which is very far from being the case. There are many abuses and some very dangerous attacks both on the federal service and that of our states and cities. To resist these and to strengthen the system much hard work will be necessary. You must know some young men who will undertake it and your interest in the reform prompts me to believe that you will induce them to do so. Please give me the names, addresses and qualifications of those whom you would consider available and who would be willing to undertake the task. It is unthinkable that the work of an organization as distinguished as ours should cease. The return of the spoils system would mean nothing less than the ruin of popular government. Please help me in this important matter all you can.

One of the most interesting replies was received from Mr. Moorfield Storey. He said that after a recent Harvard commencement he had wondered what the graduates thought of the old men who graduated when he did. Thinking back, he found that the men who graduated as long before his class as his class did before the present class, were the class of 1809, during Madison's Administration, before the War of 1812, when the Embargo was a burning issue.

Is it surprising that the issues of our youth no longer excite the young men of to-day? Then we were dealing with the spoils system at the worst and had good "talking points," to-day Volstead laws and the League of Nations are more interesting than the improved but far from perfect civil service of to-day.

The truth is that our movement has spent its force. There are many states and cities that need a good law, but the public

does not demand legislation. Congress is constantly lowering the bar. . . .

We need to reform and reinforce our organization. We need new workers where none now exist. We need your enthusiasm and long experience but we need to enlist the young men who are just beginning.

Can't we issue an appeal, a good strong appeal, to the college men like Meiklejohn and the new president of Yale? We should need quite a pamphlet to marshal the facts. Point out the evils and the need of cooperation, but I think there is some fertile ground on which our seed would fall. We must have new blood.

Mr. Oscar S. Straus commented in his reply: "It is not so easy to find young men who have sufficient public spirit for this kind of work." And Mr. William Allen White wrote: "I think I know why they don't get into it; they know the old conditions that made the Reform League necessary only as tales, not by living with them—hence, they are not excited about them. The abuses today compared with those of thirty or forty years ago are so mild that the younger generation feel these abuses will fall into desuetude. They are wrong, of course, but that is why they need to be drafted and regenerated. . . ."

Secretary John T. Doyle of the United States Civil Service Commission suggested that the call should not be confined to young men, but should include prominent women workers. Other sources for recruits suggested by Mr. Doyle included banks and large industries, persons who have had experience in political life or in public office, especially in civil service commissions, workers in women's organizations, the Veterans' Legion, the Federation of Labor, and associations of government employees.

What is the significance of this decline in leadership? Undoubtedly it is due, as the reformers themselves frankly admit, to the declining vitality of the civil service reform appeal. This in turn is due to the fact that many think that "reform" has been accomplished, that the missionary spirit is weaker now than it was fifty years ago, and that there is no great popular enthusiasm for "uplift" organizations in general. As Brooks points out, also, other political reforms have come to hold the center of the stage and

it is too much to expect great popular enthusiasm for the improvement of public administration by such technical methods as competitive examinations and efficiency records.

Enlargement of Scope. Arising in part out of the effort to enlist younger men in the work of the League there has developed within the last few years a definite movement to enlarge the scope of the League's work. Mr. Robert Catherwood, President of the League, gave a dinner for a number of the younger men in New York City early in 1925. At this meeting the opinion was expressed that the present work of the League did not seem to appeal to younger men. The matter was brought before a meeting of the Executive Committee in March when Mr. Catherwood suggested the creation of a new organization with an interlocking control by the Executive Committee and the Council of the League, to be known under a new title. The reason for this suggestion was that younger men seemed to be repelled by the title of the League and that a new element was desirable as a means of attracting and keeping the interest of the younger men.²¹ A special committee, appointed to consider the question, made a report to the Council in April against the formation of a separate incorporated organization, and suggested that in order to meet this demand for a new element in the scope of the League's work a new special committee might be formed to take over a specific propaganda campaign for a definite object.²² Subsequently, a Committee on the Enlargement of the Scope of the League was appointed by the President for the purpose of framing a program for additional or collateral work for the League which would arouse new interest. The Committee was composed of Messrs. Robert McC. Marsh, chairman; Charles Burlingham, Lewis L. Delafield, Jr., Sidney P. Henshaw, Catesby L. Jones, Samuel H. Ordway, Jr., Arthur W. Procter, Roger H. Williams, and Eugene Underwood, Jr. The Committee considered the proposed draft of a bill for a new federal

²¹Minutes of the Executive Committee, March 30, 1925, p. 1.

²²Minutes of the Council, April 30, 1925, p. 2.

employment system which had been prepared by the Committee on Federal Legislation.²³ It finally decided, however, to take up the question of reorganization of the administrative departments of the Federal Government, which was suggested to a committee of the League by Secretary Hoover under circumstances which will now be described.

A special committee consisting of Messrs. Arthur W. Procter, chairman; Robert Wood Johnson, and Catesby L. Jones, to conduct a fact-finding investigation among the departments in Washington in order to obtain the suggestions of administrative officials and others in the Federal Government as to the needs and changes desirable in the federal civil service, was appointed by the President of the League in March, 1925.²⁴ The committee interviewed a number of department heads and personnel leaders, including Secretaries Hoover and Mellon, Mr. Herbert Brown, Director of the Bureau of Efficiency; Dr. W. F. Willoughby, Director of the Institute for Government Research; Mr. Luther Steward, President of the Federation of Federal Employees; and Honorable Franklin D. Roosevelt, on conditions in the federal service and what the League could do to improve them. On the basis of the observations made to the committee and as a result of its own independent investigations the committee made the following five recommendations which were approved by the Executive Committee of the League:

1. The League should undertake a survey of the exempt and non-competitive offices in the federal service and report to the President for his information in further extending the classified service.

2. The League should broaden the scope of its work to include other problems of economy and efficiency in the public service. This was based on a proposal made by Secretary Hoover who suggested "that the League might effectively bring within the scope of its citizen interest the need for Government reorganization and coördination of

²³*Supra*, pp. 213-215.

²⁴*Minutes of the Executive Committee*, March 30, 1925, p. 1.

effort which is being advocated at the present time in Washington; that the breaking down of the Spoils System and the installation of scientific methods of employment control have at least been carried, under the auspices of the League and other agencies, to a point where the advocacy of employment reform can be definitely related to the advocacy of other reforms in the administration of the public service."

3. The League should inaugurate an educational campaign for the information of the public as to the scope of government activities and the need of a scientific and business-like employment system.

4. The League should try to bring about an agreement between the two national political parties to prevent future raids on the merit system and to insure the automatic classification of all new non-political offices.

5. The League should work for the installation of a complete and scientific classification of employments.²⁵

The Committee on the Enlargement of the Scope of the League held several meetings in the fall of 1925 and reported to the Council on May 4, 1926, a statement of policy of the League with respect to the simplification of the administrative branch of the Federal Government. This statement was approved by the Council. The first and last two paragraphs of the statement were as follows:

The National Civil Service Reform League has determined to extend its activities by promoting the simplification of the administrative branch of the Federal Government. At the present time, no matter how able an administration is in office, there is unavoidable waste, duplication of effort and lost motion. The machinery of government is too complicated and there is a lack of centralized responsibility, which makes it impossible to have the proper cooperation between branches of the government engaged in similar work.

The Civil Service Reform League believes that a campaign to put into effect a governmental reorganization on a modern and businesslike basis is but an extension of the traditional scope of its work. It is convinced that the reorganization of the Federal

²⁵*Good Government*, Vol. XLII, pp. 73-74 (1925).

Government is needed to increase efficiency of the Civil Service, to establish a more uniform system of employment, and to insure a greater measure of justice to the faithful and capable employes. At the same time, the League will continue its present activity in protecting the Merit System in the Federal Government so as to avoid the detrimental effect of political appointment and promotion.

The League does not at the present time advocate any particular plan of reorganization, because of its conviction that the primary object to be attained is a simplification of the machinery of government and that this can be attained in many different ways. Its purposes with the help of experts to analyze the various proposals and to be of such assistance to Congress as it can in developing the most satisfactory bill possible. At the same time its chief objective will be to secure at an early date some sound, workable system consistent with the principles which the League was founded to maintain.²⁶

For the formulation of a program of reorganization and for an educational campaign to secure its acceptance by Congress, the Committee on Scope believed that it needed: (1) a committee of public-spirited citizens to sponsor the League's participation in the subject; (2) the advice and guidance of one or more experts whose word would carry authority throughout the country; and (3) a special fund with which to finance the work. At the annual meeting in May, 1927, it was announced that a number of prominent persons had agreed to serve on the committee on reorganization. The list included Charles Francis Adams, of Boston; Edward W. Bok, of Philadelphia; Robert S. Brookings, of St. Louis; James F. Curtis, John W. Davis, Norman H. Davis, Charles E. Hughes, George McAneny, Frank L. Polk, Franklin D. Roosevelt, and Henry L. Stimson, of New York; John V. Farwell, and Matthew Woll, of Chicago; Edwin F. Gay, of Cambridge, Mass.; Herbert Hoover, of Washington, D.C.; A. B. Lovett, of Savannah, Ga.; and E. T. Meredith, of Des Moines, Iowa.²⁷

²⁶*Minutes of the Council*, May 4, 1926, pp. 1-2.

²⁷*Proceedings of the League*, 1927, pp. 20-21.

*Removal of Headquarters.*²⁸ Since its organization the headquarters of the League have been in New York in connection with the New York Association. Recently a proposal has been made to transfer the principal office from New York to Washington. This proposal grew out of the situation now to be described.

In May, 1925, Mr. Robert Catherwood, President of the League, and Mr. Ellery C. Stowell, of the American University, gave a dinner in Washington to a group of public-spirited citizens, the result of which was the organization of "The Civil Service League." It was suggested that the new organization should be entirely independent of the National League, but this was opposed as sacrificing all the influence and prestige attached to the historic Civil Service Reform League. It was voted that the organization should be affiliated with the National League, and the letter-head of the local organization contained the statement "Affiliated With the National Civil Service Reform League." A membership and fund-raising campaign was conducted during the spring.

In the fall the Civil Service League took up the situation with respect to the Personnel Classification Board. The President of the local League addressed a letter to President Coolidge and later a committee had a conference with the President in which Senator Smoot was attacked and the President was asked to remove Herbert D. Brown as Chief of the Bureau of Efficiency. In gathering the facts bearing on matters to be presented to the President, the President of the local League called on the Bureau of Efficiency, the Personnel Classification Board, and the Civil Service Commission for access to their records, which they all refused. In a lengthy correspondence with the Civil Service Commission, which was given publicity, the Commission was threatened with mandamus proceedings to compel them to open their records.

²⁸I am indebted to Mr. Lewis Meriam of the Institute For Government Research for valuable information upon this subject.

Considerable confusion resulted from the similarity of names of the local League and the National League and the statement of affiliation on the letterhead. A great deal of explaining became necessary, and the Executive Committee of the National League was much concerned over the action in mandamus the Commission. The Secretary of the National League protested and asked the local organization to change its name and to drop the statement of affiliation. The statement of affiliation was dropped at once, and steps were taken to change the name of the local organization.

Before effecting the change in name, the Executive Committee of the local organization decided to send a special committee to the National League with a concrete proposition to induce the League to move its headquarters to Washington. Messrs. Willoughby and Meriam of the Institute for Government Research as representatives of the Civil Service League of Washington, met with the Executive Committee of the National League in New York on February 23, 1926. The matter was also discussed at meetings of the Executive Committee on April 15, May 27, and at the Council meeting on May 4.²⁹

After consideration of all phases of the matter, the Executive Committee of the League recommended to the Council at its meeting on May 4, 1926, that the headquarters should be moved to Washington, retaining a branch office in New York City, and that a special committee should be authorized by the Council to consider ways and means to accomplish this, and to make the necessary financial arrangements. The Council voted that the recommendation of the Executive Committee be approved in principle, but that removal should be delayed until a special committee to be appointed by the President of the League should have reported that satisfactory financial arrangements have been made to meet the support of the League and that satis-

²⁹Minutes of the Executive Committee, February 23, 1926, p. 1; April 15, 1926, pp. 1-2; May 27, 1926, p. 1; Minutes of the Council, May 4, 1926, pp. 3-4.

factory arrangements have been made with the Civil Service League in Washington. A special committee of five was appointed by the President.

After consideration of the problem at two special meetings, including a proposal by Mr. Telford for the consolidation of the National League and the Bureau of Public Personnel Administration in Washington, the committee reported that, while funds to finance such a change were available for the ensuing year and possibly for a period of two years, the financing of the National League beyond that period appeared to be in doubt. Hence the committee was not prepared to recommend removal at this time. The committee did, however, recommend that the Executive Committee authorize the Secretary to take immediate steps toward the establishment of a branch office of the National League in Washington. At its meeting on October 14, the Executive Committee authorized the Secretary to proceed with the arrangements for the establishment of a branch office in Washington and approved a budget for the Washington Branch.³⁰ On January 1, 1927, the Washington office was opened, with Dr. Joseph Bush Kingsbury, formerly secretary of the Chicago Civil Service Association and of the staff of the Bureau of Public Personnel Administration, in charge.³¹

Meanwhile the Washington Civil Service League has changed its name to Better Government League and has announced a program of extension and improvement of the merit system in the federal service, the municipal government of the District of Columbia, and in state and local governments.³² A statement of reasons for the separation from

³⁰Minutes of the Executive Committee, October 14, 1926, pp. 1-2.

³¹Good Government, Vol. XLIII, p. 88 (1926). A Washington office was maintained by the League during 1918-1920, but was closed in 1920. In 1922 the office was reopened with a part time representative, which arrangement was continued until 1925, when retrenchment again made closing necessary. The office was again closed in September, 1927.

³²Public Business, Vol. I, no. 1 (June, 1926).

the National League, which contains a severe indictment of the League, was issued in the summer of 1927.³³

A Future Program. In any organization like the League differences of opinion over policies and program will inevitably arise. How are such differences settled in the League? Usually by compromise. But within the last decade several important questions have led to serious conflicts of opinion among the members of the Council, and not all of them have been satisfactorily settled. A brief review will indicate some of the divergent views as to the policies and program of the League.

If we turn back to the discussions over the model law which occupied the attention of the Council in 1915 and 1916 we will note a very serious division of opinion over the provisions of the removal section of the model law. One group, headed by Mr. Catherwood of Chicago, advocated the trial board system of removals, and another group, of which Mr. Foulke was the spokesman, championed the federal rule on removals. A compromise was finally arranged by Mr. Dana.³⁴

When Mr. Catherwood became President of the League in December, 1924, he immediately appointed a Committee on Federal Legislation to draft a bill to improve the federal civil service. Together with a number of the western members of the Council Mr. Catherwood had long felt the necessity of substituting for the old Pendleton Law a new act providing a modern scientific system of employment for the Federal Government. They pointed out that Senator Pendleton himself had spoken of the act as an "experiment," as "tentative," and that it applied the merit principle only to entrance and not to promotion, pay, and removal. The Chicago members of the Committee submitted a preliminary draft of a new federal law to a meeting of the Council in October, 1925. A majority of the Council, however, was not impressed with the necessity of an immediate change in the federal law and thought that the League should go

³³*Ibid.*, Vol. II, nos. 1-2 (June-July, 1927).

³⁴*Supra*, pp. 210-212.

slowly in the movement to remodel the existing system. The attitude of the Council disappointed the western members of the Committee and work on the draft was abandoned.³⁵

The proposal of Mr. Catherwood for a new organization under a new title, with an interlocking control by the Executive Committee and the Council of the League, in order to interest younger men in the work of the League and the decision against such a new organization have already been mentioned. This proposal, together with the attempt to organize an association in Washington independent of the League but coöperating with it, seemed to indicate that some members of the League wanted an organization with less tradition and a different point of view, free to try methods more rapid and more daring than would be practicable for the old League. Furthermore, the advocates of the removal of the headquarters to Washington believed that such a bold step would put the League in a position for informing and leading the intelligent public opinion of the country interested in the effective development of the merit system.³⁶

These events demonstrate that there are two fairly definite views as to the future program of the League. One group, composed principally of the older members of the Council and Executive Committee, is inclined to consider reform as a moral question, to believe that the major effort of the League should be in the fight against the spoils-men, to look with disfavor upon any proposal to change the historic name of the League, and to frown upon all attempts to substitute for the Pendleton Law an entirely new employment act. They would proceed cautiously in the removal of the headquarters to Washington and before giving up the present advantageous arrangement with the New York Association. They support the present removal rule in the federal service and think that it would be dangerous to

³⁵*Supra*, pp. 213-215.

³⁶*Supra*, pp. 241, 245-248.

try to take away the President's control over personnel matters in the Federal Government. Their critics charge them with being unduly impressed with the honorable history and traditions of the League. These same critics also say that they try to solve the present problems of the civil service by the application of the original principles of the merit system as enunciated by Curtis, Eaton, and Schurz.

On the other hand there is a group of younger men, still a minority, who look upon the merit system as a method of improving the efficiency of the government and not as a moral issue; they think that the League is missing a glorious opportunity for constructive work with reference to federal personnel administration. They respect the history and traditions of the League and its leadership in the past, but insist that history, traditions, and a tendency to hark back to the formulae of the early reformers will not meet the problems of today. They admit that corruption still exists in public life, but insist that it is no longer the issue. Improvements in public personnel administration are not to be brought about by attacks upon the spoilsman but by substituting a better system than that under which the spoils-men operate, they think. They support the trial board system of removal and believe that the old Pendleton Law should be replaced by a new law establishing a scientific employment system for the National Government. They would remove the headquarters of the League to Washington, where, they insist, is the real problem which the League must attack. They want the League to work out a constructive program with reference to the present problems of the federal service and to assume the leadership of all those interested in the modern problems of public personnel administration.

These facts indicate a crisis in the affairs of the League. Problems of organization, of finance, of scope and program, press for solution. Upon the answer to these problems depends the future of the League.

PART IV
CONCLUSION

CHAPTER IX

SUMMARY AND CONCLUSIONS

I

More than fifty years ago the first civil service reform association was organized in New York on May 11, 1877, and four years later the League was organized at Newport, R.I., in August, 1881. This period has witnessed significant progress. At the time of the organization of the League a few steps had been taken toward civil service reform through the efforts of the Grant Commission, but the outlook was far from encouraging. The spoils system had reigned almost unchallenged in national, state, and local governments since 1829. In the National Government the depths of political corruption were reached after the Civil War in the scandals of the Grant Administrations, and the character of local government is illustrated by the Tweed Ring in New York. Short terms, rotation in office, political assessments, and partisan activity of office-holders were all constituent parts of the pernicious spoils system. Against this evil system the reformers declared a war of no quarter, and by 1885 significant progress had already been made. The public had been educated to the enormous evils of patronage, a national civil service law had been enacted applying to some fourteen thousand places in the federal service, and laws had been passed in New York and Massachusetts applying to state and local services. Prosecutions to stop the evil of political assessments had been instituted and the constitutionality of the federal law prohibiting political assessments had been upheld by the Supreme Court. Finally, the reform vote helped to swing the election in 1884 to Grover Cleveland, whose civil service record was superior to that of his Republican opponent, Blaine. Thus the reformers in the early period had educated public opinion and had brought great moral pressure to bear upon legislators for the enactment of civil service laws.

A different problem confronted the League after 1884, necessitating a new strategy. Since the Pendleton Law applied to only a few thousand positions in the executive service, and since the power of extending the rules rested with the President, it became necessary for the League to deal now with the administrative branch of the government, urging extensions, and maintaining a rigid surveillance over the enforcement of the law by the President, the Civil Service Commission, and the heads of the departments. Opposing and criticising all evasions, exemptions, abuses, and maladministration, and commending every extension of the rules, the League, in this period, judged every national administration by the true standard of reform, establishing by its conduct, the reputation of a non-partisan, impartial critic. At the same time it continued its primary work of informing the intelligent public opinion of the country as to the evils of patronage and the value of the merit system. To a very large extent, we may attribute the gradual growth of the merit system in this period and its protection from the attacks of the spoils-men to the alertness and efficiency of the League. In its criticism of public officials the League always proceeded cautiously, after a complete survey of the situation, usually by one of its committees. The *New York Tribune* says that it cannot recall a single instance where the League was wrong in its criticism of official conduct.¹

At no time during this period did the League members number more than a few thousand and its budget never exceeded \$10,000. Speaking before the annual meeting of the League in 1903, Mr. Edward M. Shepard estimated that the average annual expenditure in promoting civil service reform had not exceeded \$30,000 or about a half a million dollars during the last twenty years. "Never have means so seemingly inadequate accomplished a result so broad and so splendid."²

¹*New York Tribune*, June 14, 1923.

²*Proceedings of the League*, 1903, pp. 182-183.

Fish says that the reform movement has been "an agitation carried on by a comparatively small, educated class" and asks what reasons are responsible for its progress. He suggests as reasons for the progress of reform the non-partisan character of the movement, "the publicity and candor which has characterized the movement from its initiation," and the influence of improved methods in the business field. Other factors contributing to League success have been the support of able and influential advocates, the support of the press, the friendship of most of the Presidents, the increasingly technical character of the government's work, and the growth and influence of employees' organizations.

In last analysis, however, the extension and improvement of the merit system in the period from 1885 to 1913 must be attributed principally to the advocacy and zeal of such leaders as George William Curtis, Dorman B. Eaton, Carl Schurz, Richard Henry Dana, William Dudley Foulke, and Theodore Roosevelt. These leaders of the League, waging a "war of positions" with the spoilsmen, wrested place after place from the enemy, consolidated and held them against all attacks, until by the end of the period two-thirds of the executive civil service of the United States was reclaimed for the merit system. This record of achievements makes the League the unofficial trustee of a national movement.

The activities of the League in the modern period (since 1913) fall logically into four groups—propaganda work with the general public, political parties, Congress, Presidential candidates, and other groups; extension of the merit system in the Federal Government to the higher administrative positions, to other exempt positions, and in state and local governments; defense of the merit principle from all attacks, exemptions, evasions in the legislative and administrative departments; and coöperation in the solution of certain problems of personnel administration. All but the last are continuations of the traditional activities of the League, but conducted with more aggressiveness in the present period.

Education of public opinion has proceeded to the point where no political party would dare to advocate openly the

repeal of the civil service law, no President would recommend it, and no Congress would enact such a law. There is plenty of evidence that the merit system is strongly entrenched in public favor. In every instance where the question has been referred to popular referendum, the verdict has been for it. There is evidence that League propaganda is now reaching a very small group of interested persons and that the appeal is not so strong today as formerly. There is need for a revival of the old fight against the spoils-men and their methods.

Extension of the merit system has proceeded more rapidly in the Federal Government than in the state and local governments. This is due to the fact that extensions in the federal service can be made by executive order, but in the states and cities they must be made by legislation. The localities are furthermore the strongholds of patronage and the spoils system. Finally, the League has concentrated its major attention on the federal administration, leaving to the local associations the extensions in their jurisdictions. The classification of prohibition enforcement agents is a step forward, but postmasters of first, second, and third class post offices and many other places in the federal service still remain subject to spoils. A great opportunity exists for the extension of the merit system in the thirty-eight states now without it, and in the several thousand counties, cities, villages, and other political subdivisions.

Many extensions of the merit rules have been made by defeated administrations just before leaving office. The League has never opposed the "covering in" of employees of such offices, but it has frequently been called upon at the beginning of a new administration to resist the pressure of the spoils-men to exempt such places from the classified service. This happened with reference to the railway mail service under Harrison, the large number of positions classified by President Cleveland during his second term, the fourth-class postmasters under President Wilson, and the higher administrative posts under President Harding. The League has always been ready to defend the system from evasions, exemptions, and attacks in Congress or in the

executive departments. Direct attacks on the system are now rare; the spoilsman are more cautious and more subtle. A particularly vicious form of attack under the guise of patriotism is that of veteran preference. Always alert to discover attacks on the merit principle, however disguised and defended, the League has resolutely fought to protect the service from the infusion of politics. In nearly all important engagements it has emerged the victor. This aspect of the League's work is as important today as it ever was.

In educating public opinion, in extending the merit system and in defending it against all attacks, we see the League at its best. These activities are the primary ones for the League. There is constant need for an agency to enlighten the public, to fight aggressively for the expansion of the rules, and to protect what has been won. In these respects the work of the League has been admirable. Here it is upon firm ground, carrying out the original purpose of its founders.

In the field of personnel administration the contributions of the League have not been so significant. Its best works have been the Foreign Service Report, affording a basis for the Rogers Act of 1924, and the report of the Reclassification Committee in 1923. In explanation of the League's record in this field it must be said that it made efforts to secure the establishment of the Bureau of Public Personnel Administration in connection with its office. Preoccupation with the fundamental problems of education, extension, and protection, and financial problems have prevented the formulation of a comprehensive program for the improvement of public personnel administration.

The principal problems of the present League are those of organization, of finance, and of scope and program. For some time the character of the organization has been changing from a federation of local associations to a unitary organization, based on a small number of permanent members. The local associations have declined in number and

in vitality, and are no longer important as sources of financial support, or for the furtherance of the program of the League.

Different methods have been used to finance the League. Until about 1915 principal reliance was placed upon the quotas paid by local associations. In 1916 a Greater Activity Campaign was undertaken and some \$30,000 a year for three years was raised, principally from large contributors. Since 1920 funds have been secured from contributors and individual members. No method of financing yet tried has afforded a regular, permanent source of income for the League. The problem of finance is a fundamental one, conditioning the whole program of the League.

No reform organization can boast of a more distinguished list of leaders. In the early days George William Curtis, Dorman B. Eaton, Carl Schurz, Everett P. Wheeler, and Charles J. Bonaparte led in its councils, and later, Richard Henry Dana, and William Dudley Foulke furnished a leadership no less brilliant. But many of the early leaders are dead and the few remaining are very old. Younger men to replace the older leaders have not been recruited. For some reason the work of the League does not seem to appeal to the younger men today. Efforts to enlist their interest have not been successful. The early leaders were interested in reform principally as an agency to purify politics, to drive patronage and spoils from the government. This motivation has been powerful throughout the League's history and is predominant today. Recently, however, some reformers have been inclined to stress reform as an instrument to improve the efficiency of the administration as well as a moral force for the purification of politics.

The League is now in a transition stage, the pioneer influence still predominating. This means, of course, a cautious, conservative policy. Within the last few years, certain younger reformers have insisted upon a more aggressive program. They would draft a new civil service law for the old Pendleton Act, move the headquarters of the League to Washington, and tie the League's work up with all agencies working for the betterment of federal personnel

administration. Removal to Washington and the inauguration of a greater activity campaign depend upon the question of finance. To League committees removal has not seemed practical, and as a substitute, a branch office has been opened at Washington.³

II

During the two decades following the Civil War the civil service reformers faced a condition in the public service which has never since existed. The spoils system, gradually developing in the 'forties and 'fifties, threatened in the post-war period to destroy republican government. Partisan appointments and removals, political assessments, corruption and graft, the use of public offices and funds to pay political debts—all these formed parts of the vicious system. Against this menace to pure politics and efficient administration the reformers fought a winning battle. To defeat the spoilsman they contrived a system of competitive examinations for entrance into the public service. Moral exhortation and legal prohibitions were their chief weapons. Their work was well done and all praise must be accorded their perseverance and zeal. They fought the battles of civil service reform at a time when it was unpopular to be a reformer.

Different conditions confront the reformers today. With the twentieth century has come a general movement for efficiency in government. There has been a great increase in the number and variety of public employments. Specialization and the development of professional standards among such groups as engineers, accountants, and physicians have progressed rapidly. Trade unions have developed in many branches of the public service, in many cases affiliated with the national or local unions. Employees have organized into associations for their own protection and benefit. Private industry has developed a science of personnel management. Partisanship in the public service is

³The Washington office was closed in September, 1927.

on the decline, observers agree. Everywhere there is demand for efficiency and economy in government—national, state, and local.

In the history of the civil service the first accomplishment was the gradual development from the spoils idea to the merit system. Today we have been advancing for some time from the idea of the merit system as a negative, formal, mechanical system of competitive examinations designed to keep the rascals out, to a positive, constructive plan of employment management designed to make the public service a career for trained and competent persons. In a word, civil service reform is being gradually transformed into public personnel administration.

Under these changed conditions what of the future of the League? Has its work been done? Shall it surrender the field to other organizations? Has the fight against the spoilsman been won? Is civil service reform an accomplished success?

Students of politics and administration do not consider that civil service reform has been a complete success. White states that large sections of the public service still remain in the "dark continent" of spoils politics.⁴ According to Brooks, reform has fallen short of the prediction made by its early supporters, and "is being pushed with less vigor and effectiveness than in the early militant days. It has made progress but lost headway."⁵ And the *Chicago Daily News*, in an editorial, *A Century of Political Spoils*, says: "The fight for merit as against spoils in office proceeds but feebly and threatens to become no more than a rear-guard action. . . . There ought to be a revival of the old spirit of revolt against the tyranny of the spoilsman."⁶

These statements of competent observers indicate that the fight for merit in the public service has not been won.

⁴L. D. White, *Introduction to the Study of Public Administration*, p. 228 (1926).

⁵R. C. Brooks, *Political Parties and Electoral Problems*, pp. 541-542 (1923).

⁶July 12, 1927.

We are not yet ready to discard the aims and the methods of the pioneer civil service reformers. The fight against the spoils system, the extension of the merit system into new territory and the protection of all that has been won from the spoilsman, are as important today as they ever were. It is futile to try to install scientific systems of personnel administration unless the spoilsman are driven out and the system is guarded against their return.

We need a new popular attitude toward the public service and the public servant. We need a campaign of popular education regarding the achievements of the permanent civil service. We need an impartial constructive critic of administrative and legislative action in regard to personnel. We need a newer and broader conception of the merit system as embodying a positive, constructive program for the employment problems of the government. We need a non-partisan organization to inform and lead the intelligent public opinion of the country interested in the perfection of the merit system as a scientific system of personnel administration.

The logical agency for this work is the National Civil Service Reform League.

APPENDICES

APPENDIX A

CONSTITUTION AND BY-LAWS OF THE LEAGUE

CONSTITUTION

ARTICLE I

The name of this organization shall be the National Civil Service Reform League.

ARTICLE II

The object of the National Civil Service Reform League shall be to promote the purposes and to facilitate the correspondence and united action of the Civil Service Reform Associations, and generally to advance the merit system and to improve the administration of the civil service throughout the United States.

ARTICLE III

No debt shall be contracted by the League, by the Council or Executive Committee in excess of its assured income for the period in which its indebtedness is payable.

ARTICLE IV

The League shall consist of all the Civil Service Reform Associations in the United States which signify a willingness to become members thereof, and shall be accepted as such by the League or the Council. Any member of any such Association, and any individual specially invited by the Council, may be present at any meeting of the League and take part in the debates or discussions subject to such restrictions, if any, as the By-Laws may prescribe. The Council may in its discretion invite representatives of any other society or organization to take part in any designated meeting of the League.

The Council may also establish associate and sustaining members of the League, and shall prescribe the annual dues thereof, and may also establish other classes of membership and the dues, if any, thereof. Associate and sustaining members shall have the same status at the meetings of the League as the members of a Civil Service Reform Association.

ARTICLE V

At any meeting of the League all questions shall be decided by a majority vote of the individuals present and entitled to take part in the proceedings, unless a majority of the representatives present of

any Association shall demand a vote by Associations, in which case each Association represented shall be entitled to one vote for every one hundred members, but each Association shall have at least one vote, which vote shall be cast by the delegates from such Association present at such meeting or by a majority of them.

ARTICLE VI

The officers of the League shall be a President, a Secretary, and an Assistant Secretary, a Treasurer and an Assistant Treasurer, who shall discharge the usual duties of such officers, and not less than ten Vice-Presidents; and there shall be a Council and an Executive Committee to be constituted as hereinafter provided. The Council may establish whenever it is deemed expedient other secretaryships or subordinate officers. The said officers, Council and Executive Committee shall hold office until their respective successors are chosen.

ARTICLE VII

The President and Vice-Presidents shall be elected by ballot at the annual meeting of the League.

The Secretary, Assistant Secretary, Treasurer and Assistant Treasurer and any other secretaries or subordinate officers whose positions have been established by the Council shall be chosen, and may be removed, by the Council.

The Council shall be elected by the League at the annual meeting, and shall consist of at least thirty members, of whom there shall be at least one member from each Association belonging to the League. Ten members of the Council shall be a quorum.

The officers of the League shall be *ex-officio* members of the Council, and either the League or the Council itself may from time to time elect additional members to hold office until the annual meeting next following. Any member of the Council may act by proxy by designating a non-member of the Council to act for him, but no person may hold more than one proxy.

The Council shall elect its own chairman. It shall keep a record of its own proceedings and shall make a report to the League at the annual meeting. A vacancy in any office except that of Vice-President may be filled by the Council until the annual meeting next following.

ARTICLE VIII

The Council may, subject to these articles, manage the affairs of the League, direct its policies and dispose of the funds and, from time to time, make and modify By-Laws for the League and for its own action.

There shall be an Executive Committee of nine members consisting of seven members of the Council appointed by the President, and the President and the Chairman of the Council. It shall meet at regular periods, or on notice to all by any of its own members, or on notice from the Secretary. Subject to the control of the Council it shall have authority to exercise all the powers of the Council on all matters requiring, in the opinion of the Executive Committee, immediate action whenever the Council be not in session, and shall report its proceedings at each meeting of the Council. Three members of the Executive Committee shall constitute a quorum, but in a meeting of the Committee at which less than five members shall be present one of them shall be either the President of the League or the Chairman of the Council.

ARTICLE IX

There shall be an annual meeting of the League at such time in each year, and at such place as the Council may determine, at which officers shall be elected for the ensuing year, and other appropriate business may be transacted.

A special meeting of the League may be called at the discretion of the Council, or of the President, at any time, upon at least ten days' notice to be given by the Secretary.

Any provision of this constitution may be suspended or amended by a two-thirds vote of the members of the Council present at any meeting, due notice of such proposed suspension or amendment having been given with the notice of the meeting.

ARTICLE X

Any provision of this constitution may be suspended or amended by a vote of two-thirds of the members, or of the Associations, if a vote by Associations be demanded, present at a meeting of the League, due notice of such proposed suspension or amendment having been given with the notice of meeting.

BY-LAWS

SECTION 1. The annual meeting of the League shall be held at such time and place, in each year, as the Council may determine.

SEC. 2. At least three meetings of the Council shall be held in each year, one of which shall be as soon after the annual meeting of the League as may be practicable, and the others at such times and places as may be fixed by its Chairman. Special meetings may be called at any time by its Chairman or by the President of the League, and shall be called by the Secretary upon the written request of any five members.

SEC. 3. The Council shall elect its Chairman, its Vice-Chairman and the Secretary, Treasurer, Assistant Treasurer and Assistant Secretary of the League at its meeting next succeeding each annual meeting of the League.

SEC. 4. At each meeting of the Council it shall be the duty of the Treasurer to make a statement of the amount of money in the treasury, and of the place of its deposit, and at the annual meeting of the League he shall state the sources of all moneys received, and set forth in detail all expenditures made during the year.

SEC. 5. The order of business at each meeting of the Council shall be:

1. The reading and correction of the minutes of the last meeting. And thereafter, unless otherwise ordered, as follows:
2. The admission of new Associations.
3. Statement of the Treasurer.
4. Report from the office of the Secretary.
5. Report from the Executive Committee.
6. Reports of Standing Committees.
7. Reports of Special Committees.
8. Miscellaneous business.

SEC. 6. There shall be the following Standing Committees to be annually appointed as the Council shall direct:

- (1.) A Committee on Finance, to consist of not less than nine members.
- (2.) A Committee on Publication, to consist of at least three members, and, *ex-officio*, the Secretary and the President of the League.
- (3.) A Committee on Law, to consist of at least four members, and, *ex-officio*, the Chairman of the Council.
- (4.) A Committee in charge of the publication of *Good Government* and such occasional literature as it may be deemed expedient to circulate, to consist of at least three members and the Chairman of the Council and the Secretary *ex-officio*.

These Committees shall discharge the duties appropriate to their respective titles; vacancies occurring in any one of them may be filled by the Chairman of the Council.

SEC. 7. The following Special Committees shall be appointed as the Council shall direct, and discharged at the conclusion of the annual meeting of the League, next following:

- (1.) A Committee on Nominations, to consist of six members and, *ex-officio*, the Chairman of the Council.
- (2.) A Committee on Resolutions, to consist of six members and, *ex-officio*, the President of the League.

These two committees shall submit their reports at a meeting of the Council immediately preceding the annual meeting of the League.

(3.) A Committee on Report and Programme, to consist of two members and, *ex-officio*, the President of the League, the Chairman of the Council and the Secretary; a part of whose duty it shall be to prepare, for consideration by the Council, the draft of the annual report required by Article VI of the Constitution.

SEC. 8. These By-Laws may be amended at any meeting of the Council by a unanimous vote of the members present, or by the vote of a majority of such members, provided that, in the latter event, notice of the contemplated amendment shall have been given in the call of the meeting.

APPENDIX B

OFFICERS OF THE LEAGUE, 1881-1928

PRESIDENTS

George William Curtis	1881-1892
Carl Schurz	1893-1900
Daniel C. Gilman	1900-1907
Joseph H. Choate	1907-1908
Charles W. Eliot	1908-1913
Richard Henry Dana	1913-1923
William Dudley Foulke	1923-1924
Robert Catherwood	1924-1926
Thomas W. Swan	1926-1927
George McAneny	1927-

SECRETARIES

William Potts	1882-1894
George McAneny	1894-1901
Elliot H. Goodwin	1901-1912
Robert W. Belcher	1912-1914
George T. Keyes	1914-1919
Harry W. Marsh	1920-1928
H. Eliot Kaplan	1928-

ASSISTANT SECRETARIES

George McAneny	1893-1894
Elliot H. Goodwin	1900-1901
Henry G. Chapman	1902-1904
Albert de Roode	1904-1911
Charles B. Marble	1908-1910
Robert W. Belcher	1910-1912
George T. Keyes	1912-1914
Harry W. Marsh	1912-1920
Sedley H. Phinney	1920

FIELD SECRETARY

Eldred Johnstone	1918-1928
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TREASURERS

John C. Eno	1882-1884
Ira Bursley	1884-1890
William Potts	1890-1893
Silas W. Burt	1893-1895
William Jay Schieffelin	1895-1896
A. S. Frissell	1896-

ASSISTANT TREASURER

Theodore Hetzler	1916-
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CHAIRMEN OF THE COUNCIL

George William Curtis	1882-1892
Carl Schurz	1893-1900
Charles J. Bonaparte	1901-1905
Richard Henry Dana	1905-1912
Charles J. Bonaparte	1912
Robert D. Jenks	1912-1915
Richard Henry Dana	1915-1916
William B. Hale	1916-1918
Arthur R. Kimball	1918-1928
Howard R. Guild	1928-

APPENDIX C

PRESENT OFFICERS OF THE LEAGUE

PRESIDENT

George McAneny

VICE-PRESIDENTS

William A. Aiken	A. Lawrence Lowell
James R. Angell	Franklin MacVeagh
Robert Catherwood	Edith K. Roosevelt
Richard H. Dana	Moorfield Storey
William Dudley Foulke	Lucius B. Swift
William Browne Hale	Herbert Welsh
Arthur R. Kimball	Russell Whitman

R. Francis Wood

TREASURER

A. S. Frissell

ASSISTANT TREASURER

Theodore Hetzler

SECRETARY

H. Eliot Kaplan

EXECUTIVE COMMITTEE

W. W. Montgomery, Jr., *Chairman*

John Joy Edson	George McAneny
William Dudley Foulke	Charles G. Morris
Howard R. Guild	Samuel H. Ordway
Arthur R. Kimball	Nelson S. Spencer

MEMBERS OF THE COUNCIL

CALIFORNIA

Los Angeles
Kimpton Ellis
Francis B. Kellogg
Marshall Stimson
Pasadena
Seward C. Simons
Sacramento
David J. Reese

COLORADO

Denver
William W. Grant, Jr.
Estes Park
Mrs. John D. Sherman

CONNECTICUT
Hartford
George C. F. Williams

CONNECTICUT (*Cont.*)

Naugatuck
 Harris Whittemore, Jr.
New Haven
 Jerome Davis
 Henry W. Farnam
 Charles G. Morris
Ridgefield
 Seth Low Pierrepont

DISTRICT OF COLUMBIA

Washington
 Richard M. Boekel
 John Joy Edson
 Miss Harlean James
 Lewis Meriam

ILLINOIS

Aurora
 Mrs. John T. Mason
Chicago
 Samuel Dauchy
 Charles G. Dawes
 E. O. Griffenhagen
 William B. Moulton
 Mrs. Murry Nelson
 Henry F. Tenney

KANSAS

Emporia
 William Allen White

MARYLAND

Baltimore
 Walter H. Buck
 Mrs. B. W. Corkran
 Mrs. Albert Sioussat
 Mrs. G. Huntington Williams

MASSACHUSETTS

Boston
 Elliot H. Goodwin
 H. R. Guild, *Chairman*
 William V. Kellen
 Miss Marian C. Nichols
 William W. Vaughan

MASSACHUSETTS (*Cont.*)

Brookline
 Edwin F. Gay
MINNESOTA
Minneapolis
 Charles N. Chadbourne
 C. F. Keyes
 Morris B. Lambie

NEBRASKA

Omaha
 Mrs. F. H. Cole

NEW JERSEY

Bernardsville
 Ogden H. Hammond
New Brunswick
 Robert Wood Johnson

NEW YORK

Buffalo
 Mrs. Edmund B. McKenna
 Henry W. Sprague
 Ansley Wilcox
New York City
 Elbridge L. Adams
 Mrs. Francis C. Barlow
 Robert W. Belcher
 Roscoe C. E. Brown
 Charles Burlingham
 Charles C. Burlingham
 Frank H. Davis
 Lewis L. Delafield, Jr.

Horace E. Deming
 Albert de Roode
 A. S. Frissell
 Samuel H. Fisher
 Jerome D. Greene
 Henry W. Hardon
 Sidney P. Henshaw
 Theodore Hetzler
 Henry T. Hunt
 Catesby L. Jones
 Nicholas Kelley
 Harry W. Marsh
 Robert McC. Marsh

NEW YORK (*Cont.*)

New York City (*Cont.*)
Samuel H. Ordway
Samuel H. Ordway, Jr.
Arthur W. Procter
Nelson S. Spencer
Harold Phelps Stokes
Schuyler N. Warren, Jr.
George W. Wickersham
Roger H. Williams

OHIO

Cincinnati
Murray Seasongood
Murray Shoemaker
Charles P. Taft, 2d
Charles B. Wilby
Cleveland
Newton D. Baker
Mayo Fesler

PENNSYLVANIA

Philadelphia
William C. Beyer
Albert Smith Faught
Daniel R. Goodwin
Clarence L. Harper
W. W. Montgomery, Jr.
Mrs. Imogen B. Oakley
Howard Strong
Lewis H. Van Dusen
Clinton Rogers Woodruff

Swarthmore
Frank Aydelotte

WISCONSIN

Madison
William Gorham Rice, Jr.

APPENDIX D

CIVIL SERVICE REFORM ASSOCIATIONS¹

BUFFALO

President, Ansley Wilcox
Treasurer, Francis Almy
Secretary, Thomas R. Wheeler

SOUTHERN CALIFORNIA: CIVIL SERVICE LEAGUE

President, Marshall Stimson, Los Angeles
Secretary, Kimpton Ellis, Los Angeles

CHICAGO: CIVIL SERVICE ASSOCIATION OF CHICAGO

President, E. O. Griffenhagen
Treasurer, Samuel Dauchy
Secretary, Henry F. Tenney

CINCINNATI

President, Charles B. Wilby
Secretary, G. S. Sykes

CONNECTICUT: CONNECTICUT CIVIC ASSOCIATION

President, Charles G. Morris, New Haven
Treasurer, Donald H. Hemingway, New Haven
Vice-President, James W. Hook, New Haven
Secretary, John M. Hincks, Bridgeport
Executive Secretary, Charlotte E. Owen, New Haven

DENVER

Acting President, William W. Grant, Jr.

INDIANA: THE ANTI-SPOILS LEAGUE

President, Professor James A. Woodburn, Bloomington
Secretary, Mrs. G. Quincy Dunlop, Indianapolis

MARYLAND

President, William Cabell Bruce, Baltimore
Treasurer, Jesse N. Bowen, Baltimore

MASSACHUSETTS

President, Moorfield Storey, Boston
Treasurer, George U. Crocker, Boston
Secretary, H. R. Guild, Jr., Boston

¹If no other title is given, the organization is called "Civil Service Reform Association."

NEBRASKA

President, Lincoln Frost, Lincoln
Treasurer, Raymond Young, Omaha
Secretary, Mrs. F. H. Cole, Omaha

NEW YORK

President, Samuel H. Ordway, New York
Treasurer, A. S. Frissell, New York
Secretary, H. Eliot Kaplan, New York

PENNSYLVANIA: CIVIL SERVICE ASSOCIATION

President, Clarence L. Harper, Philadelphia
Treasurer, Edward W. Evans, Mount Airy
Secretary, Albert Smith Faught, Philadelphia

WOMEN'S AUXILIARIES

BUFFALO: WOMEN'S CIVIL SERVICE REFORM ASSOCIATION

President, Miss Sarah L. Truscott
Treasurer, Mrs. Richard K. Noye, Jr.
Secretary, Mrs. DeLancy Rochester

MARYLAND: WOMEN'S DEPARTMENT, MARYLAND CIVIL SERVICE
REFORM ASSOCIATION

President, Mrs. G. Huntington Williams, Baltimore
Secretary-Treasurer, Miss Ellin C. Pleasants, Baltimore

MASSACHUSETTS: WOMEN'S AUXILIARY TO THE MASSACHUSETTS
CIVIL SERVICE REFORM ASSOCIATION

President, Mrs. I. Tucker Burr, Boston
Secretary, Miss Marian C. Nichols, Boston

APPENDIX E

RECEIPTS AND EXPENDITURES, 1882-1927¹

	Receipts	Expenditures
1882	\$ 659.80	\$ 217.38
1883	1,037.76	860.67
1884	874.88	519.97
1885	1,960.81	1,175.73
1886	2,054.80	1,430.68
1887	1,097.02	389.88
1888	1,075.33	400.65
1889	976.08	716.62
1890	3,655.00	1,654.63
1891	2,245.27	903.67
1892	1,700.07	557.71
1893	3,922.30	1,606.07
1894	8,532.07	7,367.28
1895	4,543.27	4,185.72
1896	2,837.24	2,664.27
1897	4,244.95	3,878.82
1898	4,251.90	4,189.33
1899	3,134.41	3,078.24
1900	4,898.04	4,852.49
1901	5,759.05	5,691.51
1902	7,909.50	7,168.11
1903	7,949.31	6,813.02
1904	7,158.03	6,845.24
1905	7,943.52	7,720.29
1906	7,962.79	7,554.44
1907	7,373.93	6,832.02
1908	7,775.84	7,400.04
1909	7,060.47	6,836.71
1910	8,831.38	8,143.38
1911	9,607.46	8,571.12
1912	9,307.44	7,651.84
1913	9,878.68	7,888.70
1914	10,498.73	7,408.95
1915	12,151.47	7,618.76
1916	20,533.06	11,372.46
1917	48,419.84	32,573.55
1918	53,835.60	41,393.68
1919	48,298.18	38,597.87
1920	34,679.60	24,286.58
1921	26,080.57	18,538.86
1922	24,294.72	19,123.31
1923	38,774.14	23,771.10
1924	35,838.66	31,275.00
1925	29,896.17	26,751.86
1926	20,296.15	17,481.14
1927	25,140.48	22,120.77

¹Receipts include current receipts plus balance on hand at beginning of year.

APPENDIX F

BIBLIOGRAPHY

PUBLICATIONS OF THE LEAGUE

PERIODICALS AND CONTINUATIONS

Proceedings. Published annually. Due to war conditions the thirty-seventh annual meeting of the League was not held until April 11, 1918. The report of the Council covers the activities of the League for the year 1917. The annual meetings thereafter up to and including the fortieth annual meeting held in April, 1921, cover respectively the preceding year's activities. The 1925 meeting was held January 12, 1926, the 1926 meeting was held May 11, 1927. (Proceedings can be secured at the office of the League, 8 W. 40th St., New York. Some of this material is reprinted in *Good government*, and some in separate pamphlets. Nos. 1-35, printed; 1916, typed; 1918, typed; printed 1919 to date.)

Minutes of the Council.

Minutes of the Executive Committee. From 1882-1900 the League had a General Committee and an Executive Committee. On December 13, 1900, the Constitution was amended abolishing the Executive Committee and creating in place of the General Committee, a Council. The Executive Committee was re-established by amendment on December 5, 1916. (Council Minutes are printed from 1882 to February 25, 1920. Beginning June 10, 1920, they are typed and mimeographed. Minutes of the Executive Committee are printed until 1900. From June 1, 1917, to date they are typed.)

Field bulletin. Vol. I-date. April, 1924-date. Vol. I, no. 1-Vol. II, no. 6, called Field department bulletin. (Mimeographed.) Published as last four pages of *Good government* beginning with October, 1927, issue.

Good government. Vol. XII-date. July, 1892-date. No numbers were issued Aug.-Nov., 1897; Jan.-Nov., 1898; Jan.-June, 1899; Sept., 1899-Feb., 1900. Published at irregular intervals July, 1900-June, 1901. This periodical was formed by the union of the Civil service record and the Civil service reformer, and continues the volume numbering of the Record, beginning its series with Vol. XII. It is published at the office of the League, 8 W. 40th St., New York City.

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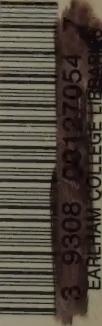
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